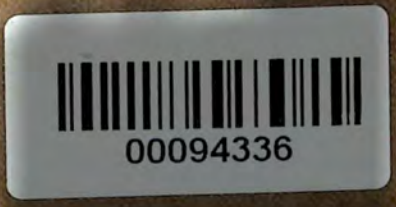
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THE

ENGLISH UNIVERSITIES.

VOL I.

Drawn by R.W. Buss.

PRESENTATION OF THE SENIOR WRANGLER TO THE VICE CHANCELLOR.

THE

ENGLISH UNIVERSITIES.

4560.

FROM THE GERMAN OF

V. A. HUBER,

PROFESSOR OF WESTERN LITERATURE AT MARBURG.

AN ABRIDGED TRANSLATION,

EDITED BY

FRANCIS W. NEWMAN,

PROFESSOR OF THE GREEK AND LATIN CLASSICS AT MANCHESTER NEW COLLEGE,
AND FORMERLY FELLOW OF BALLIOL COLLEGE, OXFORD.

VOL. I.

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EDITOR'S PREFACE.

THE following Work presents the English reader with the *general* history of the Universities of Oxford and Cambridge, from the earliest period to its natural termination at the Revolution of 1688. It contains ample details concerning the ancient University Constitution and its later changes;—concerning that curious and dark subject, the Academic *Nations*;—the Town Corporations and their long struggle with the Universities:—as also the relation of the latter with the Church, the Crown, and finally with the Parliament. As far as the materials allow, the *internal* and moral history of the Universities has been carried down to the present day. Many of the most remarkable personages connected with them are particularly described, and the connexion of University sentiments and manners with the contemporaneous events in England is carefully traced. To the learning usually characteristic of Germans, the Author adds a remarkable insight into the working of British Institutions; and his developement of the action and reaction which goes on between Aristocratic Society, the Church, the Universities, and the State, will be read with interest, it is believed, by the best informed Englishmen. The work has the peculiarity of presenting *both* our old Universities in a single view, and illustrating them alike by their analogies and by their contrasts. For further information the reader is

referred to the Table of Contents. Considering the ignorance prevailing among us as to the real composition and interior management of institutions so influential and so truly valuable, and the great number of questions concerning them on which an enlightened curiosity desires reply, it is hoped that the publication of Professor Huber's history in our own language, may prove seasonable.

The numerous Plates, with which these volumes are now illustrated by the zeal of Mr. James Heywood, F.R.S., of Trin. Coll., Cambridge,—who is the sole originator of the entire undertaking, and proprietor of the work,—have occasioned many months' delay in the publishing. When the translation was all printed off, except a few of the last Notes and Appendices, it was sent to the Author; and a correspondence has ensued, which leads the Editor considerably to alter his Preface. For while on the one hand there is now less need of explaining in detail the liberties which have been taken with the *form* of the work,—(for of these the Author does not appear to complain,)—it has become, on the other hand, necessary for the Editor to enter somewhat more at large into his own views; since he finds that the tendency of his remarks, (contained in the *bracketed* foot-notes,) has been altogether misconceived.

The German text was originally translated in its full integrity by Mr. J. Palgrave Simpson, M.A., of Corpus Christi College, Cambridge, at the request of Mr. Heywood: and I may be allowed to add, that without some study of the original, no one will easily conceive how arduous was Mr. Simpson's task. The whole has since been recast by me, with immense abridgment of the earlier chapters, and considerable condensation in all but the last. No *fact* however has been omitted that had any reference to the main subject, or to which the Author gave any prominence. No *opinion* which he expresses on the historical questions treated, has

been suppressed; nor any, even the slightest, change of tone and spirit wilfully introduced. In dealing with the last chapter I was timid, lest I should unawares injure the strength of the Author's reasonings; as I differ very widely from his practical results. The only condensation therefore which I there attempted, is of a verbal kind; such as more legitimately belongs to a mere translator. Repetitions will still be found in the work; which, having been deliberately introduced by the Author with a view to the arrangement which he has adopted, could not be retrenched without leaving a sensible gap. Of the ample Notes with which the German abounds, many have been worked up into the text, while the longer ones have been appended to the end of the volumes. In preparing these for the press, considerable help has been obtained from Mr. Crossthwaite, of Ryde, in the Isle of Wight, a gentleman professionally engaged as a teacher of German. I have myself added the sectional divisions and their headings; in the management of which occasional transposition of paragraphs was needed.

At the request of Mr. Heywood, Dr. Rothman, Registrar of the University of London, has politely furnished us with an account of the rise and present state of that Institution: this has been substituted for a note of Professor Huber's, which contained a less complete and accurate statement. The Rev. H. Longueville Jones has likewise had the kindness to compile a similar account of the University of Durham; and to revise and correct (for Appendix i. Vol. ii.) a paper of his own, which was laid before the British Association in the year 1838; and from which our Author had extracted certain tables only.

I was greatly concerned (and am anxious to say so) at finding the Author to think, that I do not show him that personal courtesy and deference which is due. I had certainly intended to direct any remarks of mine entirely against

his arguments; and am conscious that I had conceived a high impression not only of his accurate and extensive learning, but likewise of his great general impartiality and moral wisdom, in all the earlier part of the work. As long as the reforming party of the Universities moves *within*, he appears to me to appreciate them and their views fairly: but not so in later times, when the Reformers are principally without. The latter are of course liable to make a thousand practical blunders, and their claims stand out in coarse colors in the party-journals: but it is no rare case for a popular outcry to be unreasonable in its letter, and just in its spirit. The Author's defence of the Universities is as distasteful to my academic feelings, as his representations of the opponents and their cause appear unjust: and this may, unawares to myself, have put a little asperity into my replies to his ever-repeated attacks. Nevertheless, allowance must perhaps be made for the necessary conciseness of notes, and for the pointedness in consequence assumed by remarks, which would be taken in good part when expanded.

It was quite against my wish, indeed against my determination, to bring forward in any detail my own private judgments concerning University Reform. They are of course insignificant, except as they may be supported by reasons; and this is not a place in which it is possible satisfactorily to enter upon so large, complicated, and truly arduous a subject. That decisive Reforms* are needed, has long appeared to me as clear as day; but when those who agree in this opinion begin to debate the subject, endless differences arise both as to the nature of the changes required, the order and the rapidity with which they should be introduced, and the Power by which they should be originated and enforced. Nothing could appear to me more calamitous to a literary body, than

* It will easily be perceived, that, as an Oxonian, I refer peculiarly, though not exclusively, to Oxford.

a sudden and violent alteration of its studies, carried by party spirit and enforced by power from without. But the certainty which I feel, that nothing of the kind can for a moment be contemplated by an English parliament during the present generation, makes me bold in discussing the whole question. It has no present tendency to stir up the passions of a multitude: and I cannot but believe that tranquil argumentation on this point between those who know what our Universities are, and who most heartily desire their welfare, their efficiency, their dignity,—must have a valuable result. If the publication of this work shall stimulate discussion in such a spirit, I shall feel that I have attained something.

To form a very high conception of the dignity and vocation of a University, even higher than any thing that can immediately be realized, is the way to ennoble the Institution itself: and, (provided it do not lead to unkind thoughts of individuals,) a consequent immoderate undervaluing of that which has hitherto been attained, is a generous fault. Such a state of mind at least ought not for a moment to be mistaken for hostility; it is the feeling of a friend, who is disappointed that the object of his fond desires is not so elevated and efficient as he could wish. To be severe on human failure, is the fault of those who are wanting in self-knowledge; but severity is, I think, well directed against those, who set their own standard of excellence low, and busily exert themselves to hinder others from raising it. Nothing will be effected worth having, either by an individual or by a body of men, unless there is a constant aspiration after higher and higher perfection; unless, therefore, there is a keen sense of our own failings, utterly excluding self-complacency.

In my apprehension, England needs her Universities to assume a place of intellectual, moral, and spiritual superiority,

such as shall lift them entirely above the dense clouds of Party. They should move in a higher, serener, atmosphere, unaffected by its storms. Reverenced by all, they should restrain all, and unite all. To employ Science and Religion as a tool for the passing convenience of State-Policy, appears to me a high desecration: I must therefore deprecate the idea, that, because I utterly disapprove of their being Tory-fortresses, I desire them to be engines of Whigs or Radicals. In the present state of England, I should wish to see them rather remain under Tory or Conservative dominion, than subjected to such a revolution. But I regard the supposition as wholly idle. As long as the seats of learning are frequented by the English Aristocracy, so long, as I believe, it will be morally impossible to turn them into tools of democratic faction: and for this reason, I cannot share the fears felt by our Author on this head. To alledge that our Universities must of necessity be strongholds of Party, is arbitrary and paradoxical; for the Universities of Germany are not. If it were true, it would be a miserable necessity, debasing their nature and pretensions; and the opinion itself is of pernicious tendency. Even during the explosion of Civil War, a University cannot assume such a place without certain and irredeemable mischief; nor can any one secure that it will not be pillaged or dismantled, *jure belli*, if it lower its sacred character into that of a belligerent. He who justifies it in such a proceeding, ought to be the last man to complain of the violence of its political adversaries; and has no pretext for disapproving of stringent State-measures, carried in self-defence by the opposite faction, during a moment of accidental ascendancy. Moreover, just in proportion as they put on the Partizan, they lose the higher station of Umpire and Judge; and forfeit all possibility of becoming grand centres of Historical and Political Philosophy, to whose wisdom all parties would gladly listen.

The *political* importance of our Universities appears to me in a widely different light from that which Professor Huber describes and seems to defend. In the progress of society, the rule of the sword and of blind veneration gives way to that of intelligence; for which reason the Monarchal and the Ecclesiastical powers become less and less able to unite, by virtue of mere external pretensions, the parts of a great nation. As yet, happily, the Crown stands quite above the conflicts of party: and it is difficult to limit the reconciling influence which might be exerted by a Sovereign of mature and unblemished wisdom. But such personal qualifications cannot be secured by any institutions; and I need not here prove, that no permanent union for England can be expected from this quarter. As for the organs of the National Church, they have unhappily long and long since thrown themselves into the scale of party, with a unanimity surpassing that of the Universities. The mass of the nation is learning, by a succession of experiments, to hope much from the fears, and little from the justice or wisdom of those in power: and there is no umpire left between rich and poor, "to lay his hand upon us both." If it is too early for thoughtful men to ask, what is to save our children from Civil War, it at least is not too early to inquire, whither we are to look for that profound, tranquil, unbiassed Political Wisdom, which becomes the more essential for our welfare, the more our population increases in density, our social relations in complexity, and our whole civil state in advancement. *Such* wisdom must rest upon a broad surface of History, and be deeply grounded on a knowledge of the moral, social, and spiritual nature of Man. It can be no fruit of the genius of an individual, but the net result of the experience of ages and of the activity of ten thousand intellects: and, as such, it would diffuse itself not as a set of propositions based on the authority of a few eminent Professors, but as a spirit

breathing through the whole minds of those who have access to its abode. Now this is the political side of the ideal, which I form of the Universities; this is, I think, the political part which the Nation needs them to play. Such a Function is essential for the permanent welfare of the Body corporate; and it seems impossible to point out any other national Organ, by which the function could be executed. At present, unhappily, the greatest questions of Politics are decided among us by voting, not by knowledge. Measures intended for popular benefit can hardly be carried without the help of popular fanaticism; and leave behind them unreasonable expectations, certain to issue in disappointment and in a craving for greater changes. Resistance is attempted, less by diffusing knowledge, than by stifling discussion. So highly organized a frame as this nation, possesses an intense sensibility, exposing it to torture even from the lesser ignorances of its rulers: nevertheless, from the interminable debates and hopeless conflict of opinion on points of the most immediate practical importance, it might seem that at least one half or other of our legislators are mentally incompetent for their critical duties. If it be replied, that the ignorance and party-spirit of constituencies is to blame for this, we are only thrown back on the inference that we are suffering from the effects of past neglect. This, however, is not the place to develope that argument: it will be enough, if I have made plain what is my own sentiment.

Again: although I am far from contented with the Author's representations of University Reformers and of their arguments concerning Subscriptions to Creeds; it is not to be inferred that I advocate an immediate *compulsory* Act, for admitting into our Universities and Colleges persons of all religious sentiments soever; much less for putting all on a perfect equality. Speaking abstractedly, I acquiesce in the argument that every body ought to be

admitted both to the Studies and to the Degrees of a National University. But even as to these — however hard the exclusion may be on individuals — I am not able to desire an immediate change, against the will of those who at present hold Academical authority. Having absolutely no power, vote, or influence in the matter, it can hardly be necessary for me here to open at full my reasons for this feeling: yet, unless I add a few words, I may expose myself to the charge of arbitrary evasion.

The most plausible form in which it has been proposed to admit Dissenters to the Studies and Degrees, is, by allowing the foundation of new Colleges, with any internal religious arrangements which the founders may choose. If this were done in the midst of party-hostility, the result might be, to build up within the Universities themselves sectarian barriers of the most rigid kind, and England might lose what may seem her last chance of attaining a comprehensive religious union. Such unions cannot be manufactured by legislation, though they can be destroyed. Speaking socially, our religious disease is this; that the persecuting measures which followed the Restoration have split up the nation into heterogeneous masses, which do not acknowledge religion to be a social bond at all. Now, though it is a profanation alike hateful and unprofitable, to seek after religious faith as a means of national welfare, it is certain that no national bond is so valuable, and no engine of moral cultivation so efficacious, as those of religion, when it is an unforced genuine sentiment. If the Universities themselves should gradually learn, that the value of faith is not to be measured by the *number* of articles in a creed, but by the *intensity* with which the grand ideas of God and duty and holiness are realized; and that the scanty belief of an Abraham or a Job may be worth more than the full confession of a Bull or a Hooker; in that case a gradual enlargement of their system

would follow, without any of the risks attending a violent change, or the enmity and bitterness which the struggle would leave behind it. — At the same time, it is more than possible, that none but Roman Catholics would prove disposed to found new Colleges at our Universities. If even the existing Colleges were opened to Dissenters, so very few would, as I think, take advantage of it, that I do not know how to regard it as of immediate national importance, and worth the risks of the conflict.

It is however a perfectly different question, whether or not the subscription of the Thirty-nine Articles should be retained, as well as the other declarations, required from the holders of all places of Academical emolument or privilege by the Act of Uniformity. Our Author, like so many others, confounds these two things; and seems unable to believe that any one can desire to repeal these subscriptions, except with a view to eject political or religious opponents, or to thrust a new party into power. For myself, I must protest, that if I possessed despotic authority in this matter, I would neither put-out nor put-in any individual, nor put-in any party, religious or political: and I entreat that no reader will imagine that I want to enact measures for making the Universities a transcript of my own mind. But I cannot have the slightest sympathy with an argument, which really (however unconsciously) postpones the interests of truth to those of power: which acknowledges that the subscriptions are not believed, in any vital or practical sense; which attacks the Universities as not diffusing an evangelical savor through their instructions; which predicts that the subscription to the Thirty-nine Articles could not be repealed without producing the widest spread of avowed unbelief in them among those who are at present bound by them; — and therefore vehemently opposes the repeal. If the facts are true, I cannot conceive a stronger proof that an immediate repeal

is absolutely necessary: for at present a mere hollow hypocrisy is fostered (according to this admission) in the heart of those institutions to which we ought to look for Truth, and the Love of Truth. What consolation is it to inform us that an external ceremony of subscription is still retained,* if the entire system of profession is a standing lie? Those who think they can refute the assertion, that the current doctrine diffused by the Universities among their lay-members has no vital affinity with the Thirty-nine Articles, — may reply to our Author on this ground. I am satisfied with urging, that the more cogently he can demonstrate the fearful results of abolishing the subscription, so much the more fearful does he prove the maintenance of it to be.

To impute and to disclaim *personal motives* in this controversy, appear to me equally gratuitous. The unscrupulous imputation is by far too common; and, even when wholly ungrounded, has a strange weight with the thoughtless. The disclaimer might seem to imply, that a man has gained peculiar value for his opinion, by avoiding or overcoming one vulgar temptation, which in some minds has no great strength. I, however, protest by anticipation, against setting down my judgment in this matter as selfish or warped, because I once felt the corrupting tendency within my own heart exerted by the subscription, — from the time, indeed, that I began to doubt one article of very secondary importance. It will be strange indeed to make *less* of a person's disapproval of a system, because he has had the best possible opportunity of ascertaining that its immoral tendencies are real, and no mere pretence. The Test, as applied to the laity, has little or no *selecting* power. The same, or very

* See Vol. ii. 316, where our Author has *virtually* the same sentiment. If I did not refer to this, he might think I was unjust to him: but I cannot understand how to reconcile his conflicting declarations.

nearly the same individuals, will enter the Universities, whether the subscription is exacted or not. Few parents, who are professedly of the Established Church, enter into the question at all; it is looked upon as *the duty* of a young man to subscribe, as it is laid down to be his duty to believe. Upon those who are somewhat prematurely thoughtful and conscientious, the infliction is the worst, and the mischief greatest: for it is certain that active minds cannot, and do not, adjust themselves to the creed. Ingenuity is called out to distort its meaning, so as to meet their own views — at least half way; and a pettifogging casuistry is generated. Would that those who, now and then, cry out against this result with indignation, would open their eyes to see the cause of it. To whatever extent the evil spreads among the laity, whether it be rated more or less highly, it is entirely gratuitous. Since no one dreams of exacting the subscription as a prerequisite for receiving the Lord's Supper, — but indeed the attempt to exact it would be resented as intolerable, — there is not a pretence left for making it a condition of the University Degrees. As regards the inward belief of men's hearts, I think we have a right to assume that no difference would be made by an entire repeal of the Academical Tests, for Fellowships as well as Degrees, as long as the clerical order retains its predominance in the Universities. To moot the larger and far more difficult question, — the effect of removing or altering the clerical subscriptions, — has no proper concern with these pages. Only let it be observed, that it is practically easy to admit the laity of the Church of England without any test at all, and yet to exclude Dissenters. It is not needful to substitute a new declaration, that one is "*bonâ fide* member of the Church of England:" it suffices, to declare that none others are admitted, and to treat all members of the University as members of the Church. Those who have no scruples of conscience against

submitting to its ordinances, are, in the only practical sense of the words, bonâ fide members.

On the general question of Test-Articles, our Author's sentiment is this: that *Freedom* is absolutely essential to intellectual or religious prosperity, but that in every religious community, freedom must have *its limits; un*limited freedom being in such a connexion a mere chimæra. In this opinion I entirely acquiesce; or at least, it is certain that England is not ripe for religious organization on any other principle. It remains to inquire, how and by whom the limits of freedom are to be fixed: and on this question I cannot ascertain what is the Author's judgment. He would assuredly resent it with indignation, if I said that he thought his own mind was to be the measure of just freedom: yet he will not allow that either the Church or the Universities have a right to deviate from that which he, (perhaps with perfect truth,) regards as orthodoxy. Nor yet will he allow that the State has a right to fix the limits of freedom; very far otherwise: on this point indeed he is peculiarly dogmatic. He might seem sometimes to look on the Act of Uniformity as a final settlement of truth, which later generations — in Church or State — have no right to reconsider: and that the Universities, by being kept under it for 180 years, have earned a right to be compelled to think as it orders them. Nevertheless, he is desirous that the Universities themselves should relax the too cramping tightness of the present subscriptions; which he believes to be injurious to the cultivation of sound theological knowledge.

It is astonishing to me, that in all this he does not see that he is blinking the critical question, Who is it that has a right to judge what ought to be the creed of a University? In matter of fact, we all know that the civil power has made the existing system: and it is preposterous to say, that an arrangement of this sort, once made, is binding for

ever. That a creed has once passed into a law, is no reason why it may not — especially without harm to existing individual interests,— at a later time be reconsidered. More especially does this apply to the case before us: for the Act of Uniformity now stands alone, out of a series of persecuting acts which have one by one since been repealed. It was passed moreover by perfidiously taking advantage of a parliament drunk with loyalty, at a time of the reconciliation of parties, and when amnesty had been promised. Of all Acts on the Statute Book there is none that seems to have less claim to be counted eternally sacred. I fear that the Author may attribute it to a wilful stupidity on my part; but I am perplexed beyond measure to guess what he can mean by saying, that an English parliament cannot without immorality repeal its own act: what mean such terms as "spoliation" in such a case: and why, if the Universities (should they be disposed) *may* extend the freedom of their own theologians, the Parliament *may not.*

As the Universities have no legal power in this matter, I interpret him to mean, that the legislature should of course accede to whatever alterations they request; within certain restrictions however, indefinitely expressed by him. He declares (vol. ii. p. 410) that Evangelical Doctrine is to be preserved *at any price;* and this, in the very front of the section in which he advocates giving more freedom to Theologians. It seems therefore that if the Universities were to adopt, what he terms, "a vague Deism" or a "Romanizing" theology, the State is bound to resist their desires of change: — as though some exterior earthly Judge of Truth, superior both to the Universities and to the Nation, had fixed for their creed certain limits, which without breach of common honesty and flagitious spoliation cannot be passed. It is however (with deference I must say) quite unhistorical, and a gratuitous fiction, to pretend that the Nation has ever

parted with one portion of its power over the Universities. To reform, to transform, or even to annihilate them, indisputably lies within the constitutional authority of the supreme legislature: and if a new interference of the State would be in itself *iniquitous*, then the old one was equally iniquitous, and has never ceased to be so; and the existing system itself is a "crying iniquity" and a "robbery,"—to bandy back some of the Author's phrases. If he alledged that the present Test is perfect for its purpose, and is believed by those who sign it, and simply argued that there is no call for a change; I might be indisposed to offer a remark upon it. But to claim the Universities as private corporations, confuses people's apprehensions; especially when it comes from a learned historian, who in his Preface claims to be heard in the questions of the day on the ground of his historical researches: a claim, preferred most modestly by him, but certain to be pushed to the very utmost by others.

The moment the statement is made, that "Freedom within Limits" is the wholesome and rightful condition of a religious corporation, it becomes obvious that the limits must be fixed, not by any absolute standard of truth, (for this is the very point about which opposite parties are at variance,) but with a reference to the existing state of the nation: and therefore although, speaking abstractedly, Religious Truth, (as all other Truth,) is unchangeable, yet the just limits of freedom, about which we speak, must vary from age to age. Now it is by no means true, that a clerical order is peculiarly competent to decide what enlargement from time to time is required: nor even that high religious feeling fits a person for judging on such a topic better than lukewarm latitudinarianism. It is not a question of truth, but, in very great measure, of statistics: and he who can discriminate religious earnestness and

devout conscientiousness in others, however little he may himself have, possesses faculties adequate to the investigation. On the other hand, the union of strong religious feeling with a calm unbiassed appreciation of those who have opposite religious opinions, is an attainment arduous to an individual, and never to be expected in a mass of men. Religious *bodies* are peculiarly unfit for the task of enlarging the creed to which they have been habituated. In consequence, it has often been observed, that democratic churches retain their primitive creed, be it what it may, with a tenacity not to be found among those of more aristocratic constitution: and the larger the body that is really active in judging, the greater the bigotry which *cæteris paribus* is to be expected.

But the hopelessness of expecting a vast corporation deliberately to enlarge its own creed, while it continues to believe it, is exaggerated intensely if it be bound down already to definite written articles. For no individual of eminence can come forward to propose the change, without incurring odious imputations of being a secret enemy to the creed which he is actually professing; and while violent partizans who oppose him will easily carry off credit for orthodoxy and zeal, he himself is certain to lose his influence within, by his too great sympathy with those without. In such a contest, the narrowminded formalist and the cunning preferment-hunter, are more than a match for simple, noble and far-seeing minds; nor will any measure of real importance be carried, except after the whole body has been demoralized in the matter of veracity: which must be the ultimate consequence of obstinately retaining any fixed creed for ages together. In short, let us put a fictitious, yet not an improbable contingency. Suppose that James II. had succeeded in gaining the Universities and their endowments for Romanists, and in enforcing the Creed of Pope Pius: is it conceivable that a University so packed, or their successors 200 years

afterwards, would ever petition the legislature to allow them to admit Protestants? and yet no Protestant will say, that unless such a petition should be made, it would be immoral for the State in the present day to rescind the acts of the reign of James II. For these reasons, I think it is as futile to look to the Universities themselves for change in this direction, as it is culpable to use inflammatory language against the moral right of the State to make such changes.

Whatever be right or wrong in this matter, the Limits within which Freedom shall be allowed, in a country like England, *will* and *must* in the long run be settled by the struggle of parties in the State: but how numerous are the evils of a convulsive action of the Supreme Power on the Universities, these volumes sufficiently set forth. It makes them a battle-field of Party, and unfits them for being organs of Truth: it gives them value chiefly as engines of Power or as storehouses of Pelf. If the practical result, as to admission into the Universities, were clearly recognized to be righteous, as well as inevitable; methods would be devised for their self-adjustment in this, as in other matters. Those who do *not* recognize it, will blindly and perhaps heroically struggle against a law of nature and of God; in well-meant zeal for truth, demanding that *their* views of truth shall be a standard for the nation. If however the Universities desire to be living organs of the national frame, they must be willing to partake of the national life, spiritually as well as intellectually; which will not only involve no violation of conscience to any individuals, but (judging by well-established precedents) no violation to existing pecuniary interests.

There is another decidedly more difficult matter, on which it appears to me both that change is needed, and that it can come only from the State;—and if so, it ought to be introduced, even without the will of the Universities:—I allude

to such modifications as the system needs, in consequence of the Colleges having become possessed of all University authority. There are some who will have it, that the Universities *are* not national institutions, because the Colleges *were* not: others are then provoked to demand, that the Universities shall be set up again in their natural and primitive independence, of which those private Corporations called "Colleges" have stript them. To eject the Heads of Houses from their place as a University Organ, to abolish the law that every member of the University shall become a member of some College, to authorize every Master of Arts (as of old) to give Public Lectures in Arts, and every undergraduate to select his own teacher:—this scheme, consistently carried out, would be invidious in the extreme, productive of immense confusion, with the greatest uncertainty of benefit; and would, I believe, turn out so entire a practical failure, as to be abandoned half way. Yet nothing short of this would be a liberation of the University from the College yoke. If however certain private corporations have identified themselves with a national institution, they are not to be therefore permitted to appropriate it as a sort of private spoil. They do not drag it down to their level, but they are themselves become elevated into a part of the great national organ. It appears to me to be a clear duty of the State, not to allow any of the College Statutes to interfere with the welfare of the University: that they *do* so interfere, does not seem difficult to prove. (Let it not be said that "we must respect Founder's Wills." With the glaring violation of them before our eyes, which is involved in retaining Romish foundations for Protestant uses, the effort to believe that the argument is not hypocritical, strains one's charity.) The moment we learn that *poverty* was regarded by a College Founder essential for partaking in his bounty, it becomes evident that he could not possibly make enactments which would be

beneficial for raising men to the helm of the University. All know that in fact, the Founders have indulged their peculiar tastes; sometimes favoring their neighborhood, county, or even relatives, and generally annexing limitations as to studies or age, which after a long lapse of time may become unsuitable. With systems so different, one College will inevitably have Fellows very superior in talent to those of another: and while the abler minds judge of things for themselves, the less able will herd together to support whatever exists; so that every College which has ill-constructed Statutes becomes a positive mischief and nuisance to University Legislation. It puts forward its head into the Academic Oligarchy, however little competent he may be for that elevated post; and its members vote as a compact party in the Congregation and Convocation; instinct teaching them that they must combine to resist talent more active than their own. Since it is absolutely impossible (such is human nature) to convince any body of men so situated that organic change is needed, it would be nugatory in the State to consult their collective opinion on such a matter. The Reformers must always be as isolated units, who seem to the rest eccentric and unreasonable. Nevertheless, candid Oxonians will generally confess, that the existing Statutes do not secure for the University the ablest men as Heads of Colleges. That bodies, such as our Universities, are best governed by a wise and energetic Oligarchy; is, I think, the prevailing opinion of the most competent judges: but to obtain energy is the great problem, and unless this Oligarchy be carefully picked, it might be as well or better, to adopt a democratic system, which, though it could not go beyond the excellence of the age, would seldom fall below it.

I called this a more difficult question than the other, because, although the evil is plain, the modes of remedying it are various; and it may be found hard to gain agreement of opinion as to the *best* mode. I am very far indeed from having any fixed judgment myself on this head, and whatever notions I may have, would in all probability be greatly modified by listening to impartial discussions and by learning the sentiments of others. In bringing forward any suggestions, I wish solely to *illustrate* what has already been said. The Convocation then might be ordered to deliberate *in English*, and to give admission to strangers: and individual Members of the Convocation might be authorized *to originate measures* without the Board of the Heads. Certain general regulations might without difficulty be enforced by the direct legislation of Parliament. The Professors of the University and the College Tutors might be constituted into a Board for regulating all literary elections; and under their direction, vacancies in Fellowships might be filled up by Examiners taken from *another* College: (this is a point on which I am disposed to lay particular stress:) and in place of the unmeaning and hurtful law of celibacy, a fixed period might be enacted, at which the Fellowship should be vacated, unless held in conjunction with some important College Office or a University Professorship. Vexatious restrictions concerning what are technically called "wealth" and "poverty" should certainly be done away; many of which act as the Founder never intended: indeed I would not hesitate to justify and recommend abolishing all such restrictions. I have ventured to specify these points, partly to show that many changes of great magnitude in the result might be carried by external power, without the slightest

shock or disorder to the system; partly also to protect myself from the imputation of desiring Reforms, which would to me appear questionable Revolutions.

The *studies* of the Universities constitute a subject, on which much jealousy of interference from without, may be justified: yet even in this, I think a sphere is clearly left for the action of the national legislature. It may be generally well satisfied (after securing that the ablest men are put into authority) to leave the superintendence of the studies to the Universities themselves: but it has a moral right to demand at least that their judgment shall be *unfettered*. At present, this is not the case: the enactments of founders have prejudged too many questions. An artificial monopoly is given to a few accomplishments: and however great might be the desire of modifying the system of studies, the power of doing so is often very limited. To me, I confess, it seems a wrong thing altogether, that a man should be permitted, by bequest, to propagate his own opinions *for an indefinite time* after his death; and it is a branch of the same, to dictate what studies shall be followed by those who enjoy his money. A full investigation of this whole subject might show, that great room for improvement exists, not in the Universities only, but in corners where it is seldom thought of. In this matter there is not the slightest cause to dread the spirit of innovation. A great University, under the rule of a Few, necessarily is, as it ought to be, Conservative. The responsibility of change is too serious to be trifled with, when all know on whose shoulders it rests. The Public Schools moreover are a clog, always adequate to restrain too rapid movement: and at every time we have to dread the inactivity which apes prudence, rather than the rashness which loves experiment.

But peculiarly is it the duty of the State to secure, that studies which are confessedly valuable, and which can nowhere

be so well pursued as at Universities, should be really and efficiently taught there: and that accidental or capricious limitations should not be made. No one can pretend that Oxford and Cambridge are unexposed to the charge of having caused or permitted such limitations. And here I will not speak of the Physical or Physiological Sciences, such as Chemistry, Botany, Geology, Anatomy, &c., besides Mathematics,—the taste for all which in the University of Oxford has in very recent years actually declined: *that* involves topics too numerous to be here touched. But confining our view to the circle of studies which constituted the original basis of the Universities, it is extraordinary to see the neglect and decay into which the majority of them have fallen. If any one were asked, for instance, what studies the University of Oxford regarded as primitively and eminently its own, the reply would be:—Theology, Mental and Moral Philosophy, Roman Law, Ancient Languages and History. Now I appeal to any Oxonian, whether,—with the exception of the Latin and Greek languages, and a fair proportion of the corresponding history,—there is any one of these subjects, for which Oxford is even a third-rate school.

This is no imputation on individual Oxonians: assuredly not a few of them lament over the fact, but they are helpless, and cannot alter it. It remains, that the fault is in the system. The misfortune is, that long habit prevents those who are within, from seeing *how great* is the fault: and when they hear it complained of, they impute the scorn or indignation of the complainant to his own evil temper and folly, being unable to conceive that their institutions can deserve such censures. And yet, neglect so inveterate,—comparable only to that of the Universities of Spain,—surely implies a most inveterate malady: and though the public may judge wrongly concerning the best remedy, it is probably more competent to estimate the evil and the guilt, than are our

Universities themselves. Let us for a moment dwell on particulars.

These great corporations boast of their religious character; they treat the separation of other branches of Science from Religion as a shocking thing: they hold Theology to be a science, and have no sympathy with the sentiment that the unlearned and the learned are on a par in the field of religion: it cannot be said that they deprecate the union of Religion and Learning, for they would assuredly treat this sentiment as fanatical: they have continued all along to bestow Degrees in Theology, and have shown no small anxiety to withhold from other Universities the authority to grant like degrees: nevertheless, *with them*, the degree of Doctor of Divinity notoriously implies no theological learning whatever. I believe that for nearly 200 years this anomaly has continued. When I had personal connexion with Oxford, a candidate for this degree had simply to read aloud an old composition, lent him by the clerk,—it mattered not what, so that it lasted an hour; and this was his sufficient scientific qualification. Faint attempts have since been made to remove at least so glaring a scandal: but there neither is, nor is pretended to be, any substantial improvement. The Author of these volumes lays the blame on the party of Archbishop Laud, who, not believing the Thirty-nine Articles, dreaded the influence which the Puritans would gain, if theology were allowed to be cultivated according to that standard; and therefore suppressed the theological studies. Others may inquire whether this explanation is historically correct: but be that as it may, the notorious facts are, on every supposition, deeply disgraceful.

In regard to the subordinate studies of Hebrew, Biblical Criticism, and Ecclesiastical History, the apathy of our Universities has been just the same: and whatever has recently been done in this way, has come from individuals,

with at most the bare consent of the University. An energetic Professor of *Hebrew* may endeavour to revive (or rather to create) the study; but the Public Schools of the University take no more cognizance of his pupils' attainments, than if he were a Professor of Chemistry.—— Of Mental and Moral Philosophy, it is enough to say, that those who desire to study these subjects, look every where else, rather than to our Universities: and that even if it be inquired, what Aristotle and Plato held, we have to apply to Germany, not to Oxford, for information. How large an item of mischief in our national condition is ascribable to the feebleness and low rank of Moral Science in our Universities, cannot here be discussed: else it might perhaps be made probable, that what are called by some "the material and mechanical tendencies of *the Age*," are in no small measure ascribable to this neglect.

As to Jurisprudence, it is hardly necessary to prove its extreme importance, or that its proper seat is at the Universities. Our Inns of Court cannot study Law *as a science*, nor pursue its history through many nations; and therefore they could in no case systematically inquire how its rules, processes and organs among ourselves may be improved. They would always have enough to do in teaching what ENGLISH Law *is*; and could scarcely touch, in passing, on what it *ought* to be. But the Professorships and Degrees for Civil or ROMAN Law, sufficiently indicate that one function of our Universities is, to lay the foundation of Jurisprudence and its kindred sciences, historically and critically. If for the last three centuries our Judges and Lawgivers had passed through such a school, would English Law be in the state in which it now is?

Even in regard to Ancient Languages and Ancient History, our great establishments sustain a singularly humbling position. With exceptions few and far between,

we have to sit at the feet of the Germans. We import and reprint German editions of the Classics: we translate their books of illustration and their histories: we have daily to borrow both learning and wisdom from institutions which we decry. In short, in the smaller establishments of that country more is done for promoting sound knowledge in those very branches which we fondly boast of as our own, than in all England together. Surely phenomena so remarkable are not to be dismissed with superficial moralizing on the difference of the two nations. The facts indicate a very vicious and rooted system among ourselves; and it is a mere delusion to imagine that the evil can be overcome without organic changes. The world at least moves too fast on, to allow time enough for the cure.

The recent foundation of two new Professorships,—in Pastoral Theology and in Ecclesiastical History,—shows that Oxford is awakening to a sense that Theology has been neglected: and there are analogous phenomena at Cambridge. But the experience of the past sufficiently proves, that, in and by itself, the foundation of Professorships is absolutely useless. Able men may accept the appointments, but the difficulty is, to get fixed, persevering and energetic classes of pupils. As long as the Public Examinations are so constructed, that students *must* undergo the Classical (or Mathematical) examination, and either *need not* or *cannot* be examined in other branches; those other branches will be neglected. Of this injustice I have never heard even a plausible defence upon principle: the practical difficulty of remedying it is the only reply. Undoubtedly it might be difficult to pass the needful measures in the University: otherwise, the remedy is obvious enough. If it is thought proper to exact a certain knowledge of the Classics from *all*, this might be done by establishing a Public *Entrance*-Examination under University officers: and those who obtained

Honors at this preliminary trial might be allowed to proceed forthwith to study in other branches exclusively, and at the end of their career, might claim to be examined in those only. At present, under the pretence of giving a more "liberal" education, those years are stolen away by the Classics, in which alone the other Academiic Lectures might be attended, and the basis of liberal education be enlarged. To aggravate the unfairness, the Fellowships are thrown-in as an additional premium to the favored branches, as if to secure that no Public Professor should have a remote chance of zealous and steady attendance. While this extraordinary monopoly continues, it is impossible for a University to become a first-rate school even in subjects theoretically its own: and the facts are so notorious, that I cannot imagine why an English Parliament should not interfere.

Some will reply, that the constitution of our Parliament does not fit it for judging on scientific questions. It is granted that they need an organ to furnish them with materials for legislation; but the mode of obtaining such an organ is easy. Let them for instance establish at Oxford and Cambridge A NEW CHAMBER, consisting of *the Public Professors and of the College Tutors;* let this Chamber be vested with authority to originate in Convocation any scientific measures; let their deliberations be carried on in English, and with open doors: and *let it be their duty annually to report to Parliament the state of the academic studies.* The discussions elicited in such a body, would before long enable the supreme legislature to understand both principles and details: and if such organic connexion with Parliament were kept up, sudden and violent changes would never be dreamed of.

A few questions might remain, on which the Board of Professors and Tutors would themselves have too strong a corporate interest to make them a serviceable organ of

information: especially,— whether it be advisable to recognize anew in Masters (or in such as have taken the higher honors) a freedom of Public teaching; as likewise in undergraduates a corresponding freedom of attendance. I am far from insensible of the evil of leaving young pupils to indulge their own caprices in the choice of teachers; and of the yet greater danger of disinclining able men to expose themselves to the dishonor of being capriciously deserted by pupils;— to which the Universities nevertheless at present abandon their *Professors*. At the same time there appears to be a great injustice, in first, under pretence of moral discipline, forcing University students to enrol themselves in some College; in which case they must get admitted wherever they can: and next, (as if morality required that also,) forcing upon them the Tutor of their College: although a notoriously abler instructor may be on the other side of the street. If however the tongue of Convocation were untied and spoke in vernacular English, some light might be thrown also on this certainly difficult practical question.

In any case, I am persuaded, the real danger at present is not that of too rapid change: the danger is, that sham reforms (such as the appointment of Professors) will be used to pacify the University-Conscience, and meanwhile, political odium against the system will accumulate, until, at some great national crisis, an explosion is produced. Our Author is surprised, and complains, that although improvement so decided has taken place in this century, a bitter feeling against the Universities has become stronger and stronger. The explanation is not difficult. The Universities have improved, as most other institutions: but the sense of need on the part of the nation has advanced far more rapidly than they, and they are still prodigiously behindhand. It is peculiarly creditable to the past generation

at Oxford and Cambridge, that their reforms took place independently of danger or pressure from without. (I refer to the year 1801 at Oxford, which, I apprehend, is the real era of their Reform.) Yet the past does not count for nothing. Its effect on the nation has been most disastrous, and cannot be forgotten, while we are still in so many ways ruing it. If therefore the Universities desire to put away from themselves the guilt and disgrace of byegone days, neither must they affect the hauteur of ancient and time-honored bodies. This, I believe, is their great danger, their very natural foible. Personal pride and vanity soon find their limits, in the rebuffs which we meet from our equals, and in the ready standard applied to measure us: but men who are individually humble, are not the less liable to inordinate and unbounded pride as to the institution of which they are a part, when it has come down from distant ages, and is encircled with some mystic antiquarian glory. A son descended from four or five generations of abandoned progenitors, cannot clear himself of the inheritance of shame which they have entailed upon him, except by taking the modest place of one who pretends to no ancestry whatever: and, when Institutions whose sole claim to reverence is of a moral, intellectual or spiritual nature, have been for a length of time degenerate and corrupt; if, immediately upon a partial reform, they assume the high tone of traditional dignity; they stir up just resentment against them, and draw down upon their own heads retribution for the past. Such conduct is far more offensive, than sermons of virtue from a newly reformed profligate: for in the latter case, nature and decency extort at least the utterance of contrition, nor is the past iniquity wholly *ignored*. It may be true, (as I believe it is,) that both our Universities have done quite as much, as, *under their difficulties*, could be expected of them: but, if they wish allowance to be made for

these difficulties,— if they wish to avoid being judged by an abstract standard,— their advocates must assume a humbler tone. It must be far more keenly felt than it is, that they do not *inherit* a good reputation, but *are engaged in earning one:* more especially as,— since those distant days, in which alone it can be said that our Universities took the lead of the national intellect,— their internal organization has been thoroughly revolutionized, and the whole genius of the institutions fundamentally reversed.

That they should once more lead the intellect of England, is a matter which concerns not merely the good fame of the Universities, but the well-being of the kingdom. Although it is for moral and abstract science in particular, and for ancient learning, that we are accustomed to look to them, I am very far from admitting that a proportionate developement should be refused to the newer knowledge: and the Universities themselves, by accepting Professorships in Botany, Chemistry, Physiology, Geology, Modern History, Political Economy, &c., may be said to have given their own verdict on the question. It cannot be wise to drive beyond their reach and control, powers which they are unable to destroy. If the moral and the material sciences, the modern and the ancient knowledge, all grow up together in the same University, and justice is done to all; they will grow up in friendship, not in hostility; and a mutual action between the opposite branches will take place, beneficial to both. But when the new sciences, and all which are of more *immediate* and *visible* importance to the outward physical welfare of the nation, are driven out from the old Universities; it is not wonderful if under them there grow up a spirit quite uncongenial with and hostile to the old system and to all that is associated with it. In friendly union every variety of talent, —genius,— knowledge, might be beneficially cultivated: but two national minds generated under two hostile systems, is

a preparation for a war of opinion ;— a war, however, hardly to be decided by argument, when neither side can understand the arguments of the other. In such a war, rude "industrialism" will prove as much stronger than speculative acuteness or profound erudition, as the wants of the body are more craving than those of the spirit. Indeed, every twenty years, modern science and knowledge must become increasingly important, and increasingly valued. The ancient knowledge may be really more needed by way of equilibrium, hereafter, than at present; and, through more perfect cultivation, may be of greater intrinsic worth: yet with the progress of events it is assuredly destined to sink more and more into a valuable *professional* accomplishment, and to abandon perforce its claims to be the basis of all ingenuous cultivation. Nor is this to be regretted. Such a revolution will be a mark and consequence of a real advance: and until it has come about, Oxford and Cambridge (whatever eminence individuals may attain) will never be able to offer to the Classical Student a band of Tutors and Professors who are on a level with the best knowledge of the Age.

In the University of Oxford I have received much undeserved, unsolicited, disinterested kindness: and (except that in every personal retrospect matter of regret and humiliation will mix itself up) the remembrance of my residence there excites in me nothing but gratitude and affection. Alas! that the amiableness of individuals cannot atone for the inadequacy of the system to the present state of Knowledge and of Need. If for the last two centuries the Universities had grown healthily and moderately, no faster change might perhaps be now requisite than actually went on for thirty years together: but they need a more than juvenile vigor, — such as can only be gained by either new elements or

Author's Dedication.

DEDICATED

WITH

SINCEREST VENERATION,

TO HIS

ROYAL HIGHNESS THE CROWN-PRINCE

OF

PRUSSIA.*

—

1839.

* [Now Frederick William IV., King of Prussia.]

"THOSE who are aware that the great naturalist, Humboldt, is also a distinguished historian, gain a clue to the truth, that History, which is now-a-days so often referred to abstract Philosophy, has a far more genuine affinity with the Sciences of Observation. If we would arrive at a feeling and representation of perfect Truth in History, we must apply inductive methods to investigate their connexions and then bring them under well known principles of Nature. TRUTH is for the Historian, infinitely more important than any general abstractions and reasonings: nor can these be made the ultimate aim of History, without utterly destroying its reality."— K. O. Müller — in the Götingen "Gelehrte Anzeige." 1839.

new organs,—to expand proportionally to the free intellect which has been formed without them and every day wins upon them. In order therefore that they may recover their „lost intellectual leadership, a friendly but decisive acting *upon* them appears to me quite essential. I would fain hope that no Englishman who loves the Universities, will adopt a fiction, which will exasperate enemies, and will (in the hour of danger) be repudiated by pretended friends;—that the Universities are a private possession. The Institutions of our country cannot become such, any more than our soil, however loaded with benefactions by private enterprise and good will: and as for the wild talk of some, that they will rather destroy the Universities than allow them to be reformed; we might as well propose to swamp our fruitful fields, to burn our forests, to choke our harbors; because the coming generation desired to use them according to its free judgment, as we have used them according to ours. Tradition and precedent have immense power in all countries: in England most remarkably so: and there is little danger of a flood of innovation, unless fertilizing streams be unwisely dammed up. The admirable material structure of our noble Universities, the broad basis which unnumbered zealous benefactors have laid, the schools connected with them which spread over the whole kingdom, the sympathies and venerable remembrances with which their names are entwined, give them substance for a perpetual youth, co-enduring with the energies of the British nation, the prime talent of which they will long have the means of picking: while the high political place which they hold, enables them to act with the cautious gravity, by which alone they can retain permanent veneration. Only may Party-Spirit not mar their high powers and promise: may the favor of Princes not make them fancy that their

greatness is unassailable: nor their eye be so bent on the remote past, as to be blind to the wants of the present and the signs of the future!

FRANCIS W. NEWMAN.

MANCHESTER, JAN. 13TH, 1843.

ADDENDUM.

I have recently discovered that for some years I have lived under a misapprehension concerning a change in the form of Matriculation at Oxford which was made in the year 1837. In at least one note I have alluded to it as a fact, that *Under*-graduates are no longer obliged to subscribe the Thirty-nine Articles: which is entirely a mistake, as that subscription is still continued.

F. W. N.

FREDERICK WILLIAM IV.

King of Prussia.

Day & Haghe Lith^rs to the Queen

THE AUTHOR'S PREFACE

TO VOL. I.

THAT the reader and writer of a work feel a common interest in the subject of it, must be taken for granted: but whether this mutual good understanding is to be afterwards confirmed, must depend upon the book itself. I need not therefore insist on the importance of Universities in general, and of the English Universities in particular; on the interest attached to their history, or on the deficiencies in the works which have hitherto handled it. A few words, however, to explain the origin and justify the undertaking of the present work, may not be superfluous.

The first idea of it was suggested by a visit to Oxford, unfortunately of very short duration, in the year 1824: which left a peculiar and profound impression, such as to remain unobliterated by striking

and fresher pictures of European civilization and scenery. My literary studies afterwards gave a new impulse to my interest in the English Universities. Twice* I endeavored to satisfy my conscience more cheaply; but this served only to prepare me for a greater effort; encouraged as I was by the reception given to these preliminary essays. The subject interested me, it is true, chiefly with reference to the existing political position of England; which I sought during a longer stay at two different periods, fully to understand; and to retain, as far as possible, after I had quitted the country. It soon, however, became evident to me, that through the past alone was it possible rightly to understand the present: and in proportion to my knowledge, my fear of hasty judgments increased. This feeling has much restricted my discussion of the party-questions of the day, and has given the past an entire preponderance over the present in this work. Nevertheless, I could not refrain from speaking out my mind on some important practical questions, remote from the proper sphere of history. Whether my historical researches

* An article in the Mecklenburg Periodical Paper, which I then edited, (1834) and that under the head "Oxford," in the Encyclopædia published by Ersch and Gruber.

add any weight to my opinions, I must leave others to judge.

On my qualifications for the task, I have but few remarks to make. My opportunities of local research I must needs highly prize. The want of it too often leaves visible traces in works otherwise meritorious. That I have not taken *more* advantage of it has caused me great mortification. Yet, strange to say, even upon the very spot, existing fact concerning these Institutions is of all things most difficult to learn: and the very latest local publications give me no reason to suppose that their authors have found out any *important* sources of information that were not open to me. I infer either, that *I* could not have discovered any thing, where *they* (with so many advantages) have failed; or that there is no intrinsic value in the records unknown to me, and that these could in no case have any momentous influence upon my results. I speak here of *manuscripts* especially; for I have every reason to believe, that no *printed* book of real value has escaped me. As for our very richest German libraries, in works upon such especial subjects, and in foreign literature generally, their deficiencies are great indeed: and this is felt the more painfully

from the liberality with which the official superintendents of the German State Libraries facilitate access to what *does* exist — liberality which I have often had cause to acknowledge with grateful thanks. Whether my results are satisfactory, (or at least in the principal points,) time must show; and should a newer History of the English Universities sooner or later supersede mine, and supply all its deficiencies, no one will hail it with greater satisfaction than myself: I think, however, that I may say, that I now put forth a more complete and better work than those which have hitherto seen the light. At the end of my Second Volume, I moreover propose to give a general survey of the Literature connected with the subject.

In working up my materials I had to encounter the usual difficulties of reconciling the conflicting demands of *form* and *matter*, of æsthetical and historical criticism. But I deliberately resolved, in case of need, to sacrifice the form to the matter. In fact, while there are more or less illustrious precedents for a *contrary* procedure, I have never yet seen an example in which both are combined in any perfection. Till better roads are levelled for us, we must be content to trudge slowly on with our heavy

baggage of quotations, notes, appendices, and even repetitions,* while lighter travellers, no doubt, show off to better advantage: and this plain statement may prove that I fully feel the defects of the form I have chosen, as well as the importance of the matter. Barely to glance at a problem, and then trumpet it forth as solved, is a counterfeit philosophizing only too much in fashion: but this is not useless merely; — it seduces even better minds, first, into a fatal self-deceit, and next, into systematic deception of the world.

I have entitled this work an Introduction to a History of English Literature. Whoever has any correct notion of the true position of the Universities and of the proper aim of a History of Literature, will doubtless agree with me, that to execute such a task usefully, an author should have intimately studied the connexion of the intellectual with the physical life [of a nation], and consequently with its intellectual *organs*. In truth, if by modern literature is understood that which is produced upon

* Repetitions in fact, cannot be avoided, whenever it is necessary to give a perfect picture of any epoch; since characteristic traits, of greater or lesser importance, forming part of the transition from one epoch to another, will always be found, and must consequently be stated again, although perhaps more fully described before.

the field of ancient Philology and Archæology, its standard is greatly different from my own. Still I claim in favour of my own labors that position which a better judgment would bestow upon them; the more so, since they really originated as I have said. Anyhow, I have given fair notice, that I am dealing with a history of the *English Universities*, not with a history of the *learning* or *literature*, or of *the learned men and authors*, directly or indirectly connected with the Universities.

I have freely spoken my sentiments as to the spirit and tendencies of the present Age, but I must not be interpreted as indiscriminately hostile to them, nor as desiring the return of what is past for ever. Assuredly I am infinitely far from looking upon the Spirit of the Age, as one unconditionally and pre-eminently *good*, much less as *holy*;* or from allowing that a numerical majority may claim to sit as judges in the realm of spirits. Arrogance in matters so serious, problems so difficult, with so dark a future before us, is in fact the most noxious ingredient in our cup, and the principal ground for placing the present, in spite of all its advantages

* Some have even gone so far as to look upon all resistance to this "Spirit of the Age" as the sin against the Holy Spirit.

below even the worst of byegone times. I ask only a candid interpretation of sharp words, which in just indignation may have escaped me against those bold, yet servile spirits, who combine an appearance of popular liberality with a senseless and shameless adoration of the ruling powers, and with the dazzling artificial language of false worldly wisdom; thus laying upon us the worst and most oppressive yoke: as though in each Age *that* alone had right or title to existence which floats with the stream: as though all that refuses to move on so nimbly and quickly, all that cannot and will not tear its roots up from history and from right, all that is not new and of to-day, were obsolete, and therefore to be cast aside. But in spite of any such presumptuous folly, we still belong to the Age by true consanguinity, while envying nobody the equivocal honor of being its *darling child.* We are too conscious of our own duties, and of our participation in that life-blood which to all eternity flows on, from the past to the future, to disown the Age for its own weakness or for the naughtiness of its pet. I forget, however, that I have no right to speak here in the plural number. I am not alone, it is true, in my position toward the (so-called) "Spirit of the Age:"

but this is the very position which admits of the greatest *freedom* and *variety of independent developement*. I am conscious of *no shackles whatever*, and much less of having received full powers from any party.—Should I find, here or there, agreement or sympathy, I shall hail it with joy, little as I seek it. But, desire as I may to soothe down jarrings and clashings, at all events never by me shall historical truth, (the foundation of *all* living and life-giving truth,) be sacrificed.

V. A. Huber.

Marburg, Jan. 1839.

THE AUTHOR'S PREFACE

TO VOL. II.*

THE more probable it is, that this Volume may prompt inquiry, contrary to the current sentiments and those favored by the State; the less do I think it needful to enter upon it myself. But as some of my expressions, if torn away from their context, may be liable to misinterpretation, as though I desired to hold up the English Universities as models to our own country; I here distinctly state that this is not my meaning. Whatever may be my views as to our own Academic Constitution, and its deficiencies, I have never had the most remote thought of obtruding my advice either upon the ruling powers, or upon public opinion.

* [This Preface is placed here, because a different division of the volumes has been necessary in the English.]

Wherever mention may have been made of our Universities, it has been only to bring out by contrast the English peculiarities. If the question be pressed, I should not fear to recommend strengthening the corporate powers of our Universities, and (in so far) bringing them nearer to those of England, not so much in intellectual matters, as in Character and Sentiment. But, as long as staunch supporters of German Learning, who did not think their duties and rights as *Men* swallowed up in those of the *Professor;* as long as the two Grimms especially, —those truest sons of the true German mother,— are torn away from the academic life; so long we may take it for granted, that Character and Sentiment are incompatible with the demands made by the State upon our most accomplished men:* so long, no doubt, the surest way to the end proposed, is, unflinchingly to enforce on the Universities the laws of the State-Mechanism. How, in the long run,

* [Professor Huber has expressed a wish, to have it mentioned, that the excellent king of Prussia has reinstated the two Grimms in academical functions, and that the odium conditionally expressed in the above passage of the preface of 1839, is fairly and entirely removed, at least with regard to Prussia,—the more so, as even Dahlmann, one of the most conspicuous among the seven martyr-professors of Gottingen, has been recently appointed to the Professorship of Political Economy in the Prussian University of Bonn. Indeed, six of those professors are already reestablished in professorial chairs.]

Science without Sentiment might fare, may be a little dubious. A third case indeed is imaginable: everybody might divest himself of both, except so far as they were to be applied, directly and unconditionally, to State *Service*.

V. A. HUBER.

MARBURG, 30TH OCTOBER, 1839.

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CORRIGENDA IN VOL. I.

The reader is requested to make the following corrections:—

Page 17, line 9 of Note, for *actual*, read *real*.
,, 22, line 5, for *not*, read *but*.
,, 27, line 5 from bottom, for *it could not but be that they possessed*, read *they of course possessed*.
,, 33, line 15, for *then*, read *next*.
,, 45, line 1, for *gainst*, read *against*.
,, 70, line 3 from bottom, for *speculation*, read *speculations*.
,, 84, line 6 from bottom, for *special members*, read *members*,—for *messengers*, read *special messengers*.
,, 85, line 5, for *are*, read *were*.
,, 103, line 10 from bottom, for *Southernmen*, read *Oxford Southernmen*.
,, 103, line 2, for *Academicans*, read *Academicians*.
,, 169, line 7, for *precedences*, read *precedents*.
,, 222, line 15, for *might*, read *would*.
,, 249, line 18, for 1553, read 1535.
,, 271, line 7, for *this*, read *his*.
,, 354, line 11 from bottom, for *loyalty*, read *royalty*.

It has been suggested to me, that in *p.* 99, *l.* 10, *fourteenth century* ought to be *thirteenth century*; and it appears to me that the remark is just. Nevertheless, I think I have expressed the Author's meaning in Vol. i. p. 204 of the German.

An obscurity will be felt in the remark, contained in the last sentence of § 173; (p. 327.) This, I believe, is due to my having translated *eruditorum inopiâ*, "by want of learned men;" while our Author either understood it, "by the indigence of (its) learned men," or is suggesting a reason for *not* so understanding it.

F. W. N.

THE

ENGLISH UNIVERSITIES.

INTRODUCTORY CHAPTER.

ON THE GROWTH OF (CONTINENTAL) UNIVERSITIES, IN THE 12TH CENTURY.

§ 1. *Reasons for comprehending within our survey the Universities of the Continent.*

RIGHTLY, to understand so important a phenomenon as the rise of Universities, we must consider the subject in connexion with the general state of Western Christendom during the Middle Ages. In spite of national diversities, there existed all over Europe a striking unity of spirit, of civilization, of learning and of religious feeling; diffused mainly by the CHURCH, which, from her centre at Rome,

acted as the mainspring of mental cultivation every where, and penetrated into the internal constitution of all the nations beneath her sway. On the Continent, several Universities had arisen before those of England, and others sprang up at the same time.

All these institutions are to be regarded as phenomena characteristic of the Middle Ages, and each separate University was, at that time, intimately connected with the state of European civilization. Even this circumstance, were this all, would demand from an historian of the English Universities, previously to examine the older institutions of a similar kind. But, in fact, we cannot dispense with the information to be derived from this source; for our accounts of the English Universities are too scanty to be understood without such illustrations. Moreover, it is well known, that they stood in close relationship with the Universities of the Continent, and especially with that of Paris; so that this preliminary enquiry legitimately falls within our province. But it will be somewhat more laborious, because we have come to conclusions essentially different from those which are current concerning these matters,* and we must therefore detail our own views more fully.

* [The Author refers to the opinion of Meiners, that the Universities were originally independent of the Church.]

§ 2. *On the Schools of Learning which preceded the rise of Universities proper.*

While it will be conceded, that no natural and healthy development of human existence takes place, except so far as its outward forms are shaped by the silent yet powerful working of the mind; equally certain is it, that such working is eminently promoted by institutions in which the highest knowledge attainable in the age is cultivated and transmitted.

Before the time of Charlemagne, monastic and cathedral schools existed in Italy and in England: after his time they were established on the Continent, north of the Alps. These schools were intended for the cultivation of the higher learning; and such extent and importance did they attain, as to be called, Places of General Study, Literary Universities, or, Academies.* Indeed, under Charlemagne and Alfred, and even in Germany under the Othos, the Church manifested an intellectual spirit much more similar than is generally admitted, to the spirit of the Reformation and of the period of revived Classical learning. This was manifested in her mode of treating the Holy Scrip tures, the Fathers of the Church, the Ancient Writers and their languages, the discoveries made

* Studium generale: Universitas Literaria: Academia.

by that age in Natural Philosophy, and even its imaginative productions; which had in part come down from the Heroic and Heathen ages. I am aware that the existence of any similarity between the two periods will be inconceivable to those who see in the Reformation nothing but a *negative* principle. I, however, believe that at both epochs there prevailed eminently an objective historical spirit, which desires external fact as a basis for spiritual conviction; a spirit which has great power of faith in approved testimony, and can bring such faith to work on practical life. But that early era, — artless and natural, — was of course exceedingly confined as to its absolute amount of knowledge and the extent of its views. It disappears, as something quite insignificant, before the glittering pomp and the great moral contests of the succeeding period, the Age of Chivalry.

In the eleventh and twelfth centuries however, the schools continued to rise and to extend their organization, parallel to the general progress of intelligence. Speculative Theology and Philosophy were growing out of the narrow Logic and Rhetoric of the ancient *Trivium* and *Quadrivium*;* and two new sources of knowledge,—Roman Law and Græco-Arabian Natural History,—were opened.

* [The *Trivium* included Grammar, Logic, and Rhetoric: and the *Quadrivium*, Arithmetic, Geometry, Astronomy, and Music.]

§ 3. *Spirit of the Twelfth Century, compared to that of the Nineteenth, and contrasted with that of the Sixteenth.*

An important and essential similarity appears to me to exist between the general movement* of mind in the present nineteenth century, and that in the twelfth. Our own age seems to carry forward a like spirit, although on a larger scale, and with more abundant resources. Both epochs are characterized by philosophic speculation: there is in both a striving like that of Sisyphus, without tangible result, yet never wholly useless: in both there is a plentiful supply of materials, not only for faith, but also for knowledge. It is true, we cannot tell whether the Wise Men of the present day will recognize and admit the likeness; and still less, what result for their own labors it will lead them to augur. But, instead of dwelling on this *similarity*, and involving ourselves in a period of time which is not yet within the domain of history; it is more appropriate to illustrate the spirit of the twelfth century by putting it *in contrast* with that by which the sixteenth, and the latter part of the fifteenth, are characterized.

In each of the periods now contrasted, there was a great movement: nor was the earlier of the two

* [It must be remembered that the author has *German* philosophy peculiarly in view in these remarks.]

much inferior in the variety and importance of its results to the general intellect. We are indeed apt to feel an undue partiality toward the sixteenth century in comparison with the twelfth, because the great *discoveries* of the later epoch still so seriously affect the whole substance and direction of our outward life. The twelfth on the contrary has its beams dimmed by a nearer brightness; nor has it much with which many men in our day can sympathise: we must then carefully examine every lasting impression which it has left. At any rate from the *East*, fresh streams were poured in upon that age to contribute to its outward and inward life; nor ought we to assume that these were less abundant than those which afterwards overflowed the sixteenth century, when the old world was recovered and a new world opened: much less, if in each instance we compare that which was added with that which already existed. But this remark refers to the *material* of knowledge, not to the intellectual *spirit* which was at work, nor to its results.—In the period of the Crusades, the naïve capacity of belief, transmitted from the preceding age, reached its height, simultaneously with the Chivalric spirit. With this it most strangely blended a whimsical fancy and a speculative keenness, by the working of which its childlike faith was sapped, and the whole system at length fell. Then, out of the rubbish of scholastic speculation and poetical enchantment, the fifteenth and sixteenth

centuries dawn upon us, fresh in youth, and illustrious by the resurrection of Heathen Art and Gospel Faith. The positive amount of culture,—the accumulations of knowledge,— were then far richer and fuller than at the earlier epoch. But the mental activity, absolutely considered, was much greater in the twelfth century; even to so feverish a degree as chiefly to give that age its *unpractical* character. Too vigorous a fancy seized upon, and consumed, all the materials of knowledge. They vanished under the magical influence of an intellect which converted their most solid substance into artificial webs. Even institutions which professed to be practical, as those of Chivalry and Monachism, seem too fantastic and incorporeal for true history; while the really substantial matters of fact which chronologically fall into the same period,— the extension of commerce, the establishment of the rights of chartered cities, the league of the Hanse towns,— these look quite out of place, as though they rather made part of a more sober age to come. But I must not tarry on a question which does not so immediately concern me, nor must I seek to decide on the value of the results obtained from the speculative philosophy of that period. Except in circles decidedly deficient in historical cultivation, these are perhaps rather too highly than too slightly appreciated; and it is now a sort of axiom, that in that age, the struggle to apprehend things which began to outgrow faith,

things which had hitherto been believed, involved the most vitally important questions; — that, in so far, the impulse had an excellent tendency; — that it was diffused among all ranks more widely than can again be shown in the annals of history; — in fine, that such names as Lanfranc, Anselm, Abelard, Peter Lombard, Hugo of St. Victor, Alexander Hall, Albert the Great, Thomas Aquinas, Duns Scotus, Occam, and many others, have a place in the Golden Book of the Peerage of Intellect.

§ 4. *On the New Philosophy of the Twelfth Century,— theoretic and practical.*

I have not to treat on the tendencies, absolutely, of the philosophy which in the twelfth century was called New, so much as on its contrast with the Old: and next, on the part taken by the Church in that revolution.

When I thus contrast the old and the new studies, let me not be interpreted to mean that the germs of the new philosophy are not discoverable at a much earlier time,— in Alcuin, in Erigena, in the Fathers of the Church. But if a greater fulness of development may not be taken as a mark of a new epoch, history cannot distinguish old and new; for the new was ever in the womb of the old.

That at this period Law and Medicine began to be cultivated anew, is well known. Yet it is less

considered than it deserves, that in the heart of Christian Europe they forthwith lost their positive nature, and were swallowed in the vortex of fantasy. At a much later time, (after the Aristotelic Physics, tinged by the Arabian spirit, had spread over Western Christendom,) the very same thing happened to the *auxiliary* medical sciences. Of course, no place was then left for experimental and inductive methods in Natural Philosophy and Medicine. As for Roman Law indeed, it was wholly untractable to speculation; but for this very reason, it was deprived of all scientific treatment whatever. It won its way very slowly on this side the Alps, in competition with the native jurisprudence. That part only on which the Church could graft her claims, attained a systematic cultivation; and this was incorporated with Theology. However, Law and Medicine may be called the new *practical sciences* of that day, in contrast to the new dialectical *speculations*.

The Old School complained, *first*, that the bold spirit of innovation was remodelling at will all the dogmas of the Church: *next*, that through its prevalence must ensue an entire oblivion of the scientific facts laboriously gleaned from classic authorities, (for their intrinsic value was not so much regarded,) and the study of the old languages themselves would be despised. Bold spirits and fluent tongues were able also, without the toil of the *Trivium* and *Quadrivium*, to make themselves

important by a smattering of Dialectics;* while the substantial recompences earned by Jurisprudence and Medicine, drew off many more minds from the old routine of study. Its sincere followers, whether scientifically or spiritually devoted to it, probably looked on these lucrative branches as degrading to the nobler feelings: and indeed their own self-interest and self-importance must likewise have been sometimes wounded. It is remarkable that the speculative schools, old and new, made common cause against the new practical studies. *These* intruders were wholly heterogeneous, but the new speculation, having developed itself out of the old, had points of agreement and sympathy with it.

§ 5. *Dangers which threatened the Church from the new movement; and her proceedings.*

The progress of events now depended on the path chosen by the Church; and it is our first question, how she looked on the new movements, and secured the ascendancy of her own doctrines in their chief seat, the Universities.

They must undoubtedly have caused her deep anxiety. How her own policy was finally decided, has never yet been cleared up: nor can *we* undertake that task. Suffice it to rest in the known general result, that she met the new speculative

* [*Dialectics*, another name for *Logic*, in the Aristotelic schools.]

tendency not altogether in hostility. She determined to adopt it for herself; to mould it (as far as possible) to her service; yet to isolate it from Theology, her own peculiar charge. To meet the wants of the age, she established (as at other times) new organs. Dominicans and Franciscans, under her banners, rushing into the arena of speculation, soon made it their own; and though the movement was not quelled, (for active controversy continued between the very champions of the Church,) it was far less dangerous, than if it had been wholly independent of her. Much, it may be said, was lost by this policy; but how much more was at stake! and how much was saved by her! Remember Arnold of Brescia; and at least the adroitness of the Church must appear admirable, even if we are too blind to see, that in spite of her defects, higher principles were at work within her. To save her dogmas was an urgent necessity: for not saving all the positive elements of the old studies, she cannot be blamed: but for whatever of them survived, the merit is hers.

But she had also to dread bitter fruit from the *practical* branches of the new tree of knowledge. In Italy however, where the *Rights of Cæsar** might have been most dangerous, the danger disappeared with the imperial power itself. The lesser sovereigns who cloaked their usurpations by

* ["Jus Cæsareum," the vague rights claimed by the Emperor of Rome.]

claiming the name of Cæsars, were not formidable to her; though,—to suppress both old and new freedom,—they soon called into play the worst principles of the old Roman despotism.

Beyond the Alps the vigorous Germanic Institutions stifled whatever of the Roman Jurisprudence would have been hostile to the Church; while, as for that part of it which was called the Canonical Law, she was able to foster it at will under the nurture of her own champions; the more distinguished and active of whom were the Dominicans. Physical studies were the most unmanageable. The Physician was a person practically too indispensable, to be under surveillance for his orthodoxy, by Church or by State: nay, nor could he be troubled by them, whether he learned his art from Jew, from Arabian, or from the very spirits of Hell. Other applications however of Natural Philosophy, were severely watched; and such sciences, even to be endured, needed to wear the glittering garb of Speculation or Mysticism.

§ 6. *Relation of the Church to the Universities, at their rise.*

But how stood the Church towards the Universities? And how did she recommend and establish her own interests?

Erroneous views concerning the origin of the

Universities have arisen from an erroneous reply to this question. It has been supposed that all these bodies were primitively independent, and were brought under her guardianship gradually, and by equivocal means. On the contrary, most of the Continental Universities originated in entire dependence on the Church. Some only were afterwards gradually emancipated, and not entirely till after the Reformation. Her superintendence was undisputed, her interest in retaining it clear; and, for two centuries, her mode of exercising so important a trust is marked by an honorable activity.

No reference is here made to the Italian Universities, nor to mere isolated cases, such as that of Montpellier, for we might err in supposing them analogous to the others. Those north of the Alps originated from Monastic and Cathedral Schools; those in Italy, from institutions independent of the Church. For example, Bologna and Salerno,* the

* I have neither *Ackermann's* treatise on the Schools of Salerno at hand, nor any other work immediately bearing upon this subject, and what I could adduce, from my own knowledge of the matter, would carry us too far; besides, the above general view of the case, will not easily be contested. Yet I may in this place, be permitted to remind my readers of a passage in *Ordericus Vitalis* (in Duchesne's *Scriptores Rerum Normanicorum*, p. 177.) Since Rodbertus de Mala Corona, when already advanced in years, entered in 1059, the monastery of *Evreux*, and prior to this, during his earlier travels had visited Salerno, then a celebrated institution; we may reasonably consider this account to refer to the year 1030, which is generally assigned as the period, when the establishment of this place of study (Studium) occurred. A remarkable account is also given in the same place, of a matron, the only person who shewed herself superior to this equally brave and learned Norman.

oldest and most considerable, had not an ecclesiastical origin: at least there is every reason for so judging even in the latter case, where we have no positive and complete testimony. The Northern studies were speculative; the Italian, eminently practical;—that is, in the older Universities, such as Bologna, Padua, and Salerno. By the epithet *Italian* then, I may be permitted to denote the *Non-Scholastic* Universities, whether or not geographically included in Italy. The Law Professorships of Bologna were connected with the Imperial Courts; a fact which made it impossible for them to be subject to the Church and Pope: and the age itself forbade the idea of such a thing. They sprang primitively out of their peculiar *position*, and assumed a corresponding *organization;* in the one and in the other differing from those beyond the Alps. We cannot now discuss how far they were influenced by the social and intellectual state of Italy, where the Middle Age ceased with Dante; where many elements of ancient civilization were retained, and opportunities for "objective" culture abounded.

Yet it is maintained by many (as by Meiners*) that the Northern Universities were originally free;—were produced by a voluntary union of teachers and scholars of the new philosophy, non-ecclesiastical men, who desired no authorization from the Church. This opinion pleases the fantasy and pride of learning, and ministers to anti-ecclesi-

* [The author quotes from *Meiners's History of the Schools.*]

astical feelings. Once advanced with some show of research, it is no wonder that it has been repeated as unquestionable fact. Yet all historical evidence leans so directly the other way, that we can only attribute the opinion to confusedness of mind, or to prepossession. The source of the error may be traced in part to an anticatholic, or rather an antichurch, and even antichristian spirit: while, (not to speak of other practical results,) it gives a false tendency to historical research. The opinion has been unduly propped by a few exceptive cases, such as that of the bold, talented, unhappy Abelard; whose history, rightly understood, really proves the contrary — namely, the dependence of the Universities on the Church. In fact, both positive testimony and general probabilities assure us, that the new intellectual impulse sprang up, not only on the domain and under the guidance of the Church, but out of Ecclesiastical Schools.

§ 7. *Contrast of the Old and New Teachers.*

I must now advert to a difference which has been misunderstood, between the old and the new teachers. The former were members of an ecclesiastical corporation, with an appointment and a salary. Their scholars were boys or youths, generally from the neighbouring province, and destined

to become ecclesiastics. Schools of higher reputation now and then attracted lay-pupils from a greater distance, who were sometimes accommodated beyond the monastic precincts.* But after the close of the eleventh century, the secular students increased; many also came at a more advanced age, and from other countries. The teachers too increased in number, and were not *all* clergy. Some may even have been self-taught. For the most part, they were now neither appointed nor salaried by the monastery, and many had to rely for their maintenance on the fees from their scholars. Yet a large proportion of the pupils, and nearly all the teachers, were still ecclesiastical: in fact, up to the thirteenth century it is hard to count half a dozen lay-teachers. Of course the members of the clerical profession were responsible to their order; and many of them, enjoying benefices, were thus *indirectly* salaried by the Church. Finally, most of them had proceeded from the old schools. In fact, I know not of one proved case of a self-taught instructor; nor can I tell why Abelard has been thought to furnish an example. Thus it was out of the Church herself and her institutions that the new speculation blossomed;—ripened, no doubt, by other influences, but springing from no other root.

No one will deny the importance of these facts to a right view of our subject. I allow that this is

* A lively picture is given of this in the St. Gall Chronicles of the tenth and eleventh centuries.

a question of "more or less;" but it is on the *preponderance* of one principle that every historical phenomenon depends. In this case the guardianship of the Church did, beyond a doubt, preponderate from the first in the new schools, as truly as in the old. The final outbursting was sudden, (and so is the blossoming of a flower,) but the preparatory steps were gradual.*

It is not at all strange that the schools which rose *beyond* the old local limits, should, first, get the start of those *within*, and next, become more or less independent of them. But to imagine them originally independent, is to impute to the Church a carelessness and short-sightedness which all history refutes. In truth, from the beginning of the eleventh century, the Papal Bulls and Briefs took notes of the most minute details of management; even *superintending* the schools, as far as the age permitted. The fact will not be denied by any: it is the more remarkable, that the bearing of it should have been so little understood.

* Most important upon this subject, are the accounts which have been transmitted to us, of such schools as point out to us the steps of developement, which took place in the commencement of the eleventh century, immediately preceding the formation of the actual Universities. Among these, we may for instance refer to the documents concerning the monastery of Bec in Normandy (Ordericus Vitalis, &c.) This school, like many others, remained stationary, or probably even retrograded, while in Paris, Toulouse, Orleans, and many other places, similar institutions, under more favorable circumstances, were raised a degree higher, and at length, toward the close of the eleventh century, we find them taking their stations as Universities.

§. 8 *Original functions of the Chancellor,— gradually delegated.*

But it is disputed whether the new schools were ever dependent on the Authorities of the old schools. At the end of the thirteenth century, notoriously it was otherwise; and it is alleged that at no later period was there a recognized subordidination. To elucidate this matter, I shall explain the position and functions of the Chancellor. There was a time when he was himself the head of the school; whence he received the names *Regens, Rector, Præpositus,* or, *Magister Scholæ* or *Scholarum,* or *Capischolæ,* or *Scholasticus.* Combining at that time many functions, he was generally Secretary, Keeper of the Records, and Librarian to the Monastery.* With the growth of the establishment, division of labor was requisite. As the Bishop or Abbot had transferred to *him* the duty of school-keeping, so *he* in turn passed it over to one or more deputies, who gradually assumed the names Magistri, Regentes, &c., though the Chancellor did not on that account abandon these titles. First of all, the extra monastic schools were provided with

* Extract from Bulæus, Hist. Univ. Paris, i. 277. "We read that the following were the functions of the Parisian Chancellor: —in the name of the Bishop or of the Apostles to inflict or remove censures:—in the names of both to impart Licence to Teach:— to appoint some Master or other to teach in the Cloister [*in claustro*]:—to hold the Library and Seal of the Chapter in trust." The *Cloister* means the old School of the Chapter.

these deputy teachers; but from the press of scholars who poured-in at the end of the eleventh century, an increased number of instructors soon became necessary, and fresh school buildings. In the great demand for eminent teachers, the Chancellor was glad to accept offers from competent persons, and to give them — not so much an appointment, as *licence to teach.* The necessity of his licence was not questioned; but it appeared no longer a consequence of organic connection between Head and Members, but rather as an influence exerted by him over a foreign system. The persons *permitted,* at their own desire, to teach, naturally were the most active in finding a suitable locality for that purpose, the old buildings not sufficing. Meanwhile, however the older schools might be affected by the movement, their teachers were certainly nominated by the Chancellor.* We may add that the changes which we have described as incident to an Episcopal Chancellor, might equally happen to the Chancellor of an Abbey.

Evidence of the above is found in the history of the more favored bodies, which earned the names of Academy, Place of General Study, Literary University; but in future we shall confine ourselves to the University of Paris, the analogy of which to those of England is eminently instructive in elucidating the position of the latter.

* See the distinction drawn in the quotation from Bulæus, p. 18.

§ 9. *Early growth of the University of Paris.*

In the University of Paris, even from its very origin, at the end of the eleventh century, no one could teach within the jurisdiction of an ecclesiastical corporation without leave from the Chancellor of that corporation. The form of licence may once have been less official and more vague; the Church may have been satisfied with *negative* superintendence, and may sometimes have winked at an unlicensed teacher. This is possible, though we have no proof of it: but it would not alter the case. The accounts from the beginning of the twelfth century agree as to the absolute necessity of the Chancellor's *licentia docendi* for one who was to be a teacher, *(Magister Regens Scholæ,* or afterwards *Doctor;)* yet the Chancellor could not refuse to license an applicant on any other ground than unworthiness. Papal ordinances in vain strove to check the abuse of demanding or accepting presents and fees for such a grant.

But wherein was *ability* to be held to consist, and how was the existence of it to be ascertained?

When matters were in the bud, and the candidates were men of riper age, who had travelled wearily along the Trivium and Quadrivium, the Chancellor could easily form his own judgment by direct or indirect examination. But when learning was making rapid progress,—when teachers of

celebrity were every day rearing hosts of pupils, and hundreds of these came boldly forward to claim the post of teachers themselves, the Chancellor needed new help. His personal right to examine the candidate was acknowledged and exercised even long after the middle of the thirteenth century; but even at the end of the twelfth the custom had grown up for the teachers themselves to examine the scholars and *recommend* to the Chancellor for his licence those whom they deemed competent. The natural progress of events would of itself recommend this to every unprejudiced mind as the solution needed. Let us suppose a Chancellor superannuated, or overprest with business, or too indolent to keep up with the new movement. How could he maintain his dignity in conducting a sham examination of acute young men, fired with enthusiasm at their supposed progress in science, if he were unable to cope with them on their own ground? Things did not go on then, any more than now, according to the letter of ordinances: it would have been wonderful had the Chancellor *not* desired to modify his right, without renouncing it. Thus reserving to himself the exercise of it in extraordinary cases, he ordinarily trusted to the testimony of the teachers. That this natural middle course was taken, is proved by original documents of the first half of the thirteenth century. Yet it cannot have been then less than a century old; for the Papal Bulls on this subject

do not imply that there has been recent innovation, and breathe, throughout, a conservative spirit. But (as we might expect) by the end of the thirteenth century the Chancellor's right to examine dies a natural death; and thenceforth he does not grant the licence to those whom the Teachers recommend. It is not important, nor possible, to settle *exactly* when the examination fell, finally and exclusively, into the hands of the Universities and their "Faculties," but it was in the course of the thirteenth century. It must have been equally desired by Teachers and Scholars. The Chancellor, an Episcopal Officer, had long stood without their circle, and must have been regarded by them as an incompetent judge.

§ 10. *Similar developement in the Abbey of St. Geneviève.*

In the Abbey of Saint Geneviève, a like change in the Chancellor's position took place, about the same time. Circumstances may have led one teacher or other to desire to fix his School — not between the two bridges on the Island of Nôtre Dame where was the principal seat of the *Studium Generale*, but on the left bank of the Seine, upon the domain of the Abbey and liable only to *its* prohibition. (For they thus evaded all conflict with the Bishop and his Chancellor, who had no

jurisdiction there.) It would also be to the interest* of the Abbey to encourage such a Colony. The competition, then, of the two Chancellors would promote the independence of the University, while every indulgence granted by one was quoted as precedent to the other.

§ 11. *The Scientific and National States.*

We must then abandon the idea, that the Universities arose from the spontaneous action of men, who stept beyond and set at nought the ecclesiastical organization. Their independence was not originally contemplated; but it was in great measure achieved by the energies of the men, by whom they were raised into so flourishing a state. Led by a free and inward call, these master-spirits of the age won their emancipation from the restrictions which had now become empty forms; and herein they were not only tolerated, but welcomed with honor.

The state of things which we have described is characterized by the general rule, (allowance being made for exceptions) that the licence to teach was granted by the Chancellor, upon the recommendation of the Teachers. This may be called the

* Fees, though forbidden, were taken, and many indirect advantages accrued both to the Abbey authorities, and to the whole quarter of the town.

scientific in distinction to the *national* state.* Under the former, an aristocracy of the teachers unfolded itself; of the latter, the pupils appear as the natural supporters. Moreover, while the scientific developement advanced, the Faculties simultaneously received a fuller organization.

When thousands of students of different nations flocked to Paris, methodic arrangement was needed for preventing riot and confusion. That the Chancellor or any Secular authority organized a complete body of Statutes for this purpose, no one will imagine, unless he is ignorant of the spirit and manners of those times and prepossessed with notions of modern police. Matters went on as they best might, till something insufferable occurred; and then, regulations arose for the exigency. The rules to be observed during the time of Lectures, settled themselves by tradition and precedent. Outside the Lecture Room, the academicians fell into clans, based upon community of language and manners, and technically called nations;† which assumed spontaneously an independent organization. None from without desired to interfere with them, so long as they adhered to decorum: but as the clans had a community of interest, against the townsmen as well as against the teachers, they naturally united into a greater whole, with a more comprehensive inward constitution. Primitively republican as it was, there was yet in it an

* [This word is presently explained.] † See Bulæus, i. 250.

aristocratic tendency among its elder and more experienced men. The *four nations* in Paris are known to have elected superintendents called Proctors, who, with a Rector* as their head (also chosen by all the nations) presided over the *Corpus Scholarium*. None who understand those times, would think of seeking documentary accounts of the origin of such arrangements. In the beginning of the thirteenth century they appear as the natural order; named indeed only in contrast to the *scientific* constitution, which then assumed the preponderance, though its commencement was much earlier. Wherever, as in the Italian system, the teachers were primitively independent of the Church; they became proportionably dependent on their pupils, and the *national* organization prevailed. Where (as in Bologna) no licence to teach was needed at all, there the recommendation of the teachers was equally needless: and, as it rested with the scholars to decide to whom they would listen, it soon fell to them to decide who ought to teach.

* The Rector was afterwards a common head to the nations and to the Teacher-Aristocracy. I confess I am not *certain* that he was ever head of the nations only.

§ 12. *Establishment of the aristocracy of the Teachers in Paris.*

In Paris, the teachers, and the scholars who aspired to be teachers, had a common interest in prospect, which worked side by side with the *national* interests. Meanwhile, when the Chancellor threw more and more of his responsibility on the teachers, these last were of necessity led into closer union one with another. For the tendency of each teacher to over-esteem his own scholars and recommend them unduly, needed to be checked; and either a joint examination, or a committee of examiners, was the obvious resource. The working of this must soon have raised the teachers into an aristocracy, by their influence over so many candidates for their approbation: but an aristocracy open to all who were worthy, cannot have been oppressive. Again; within each *nation* the same spirit wrought: for the elder and more able scholars, being often candidates for the post of teacher, sympathized with the teacher's interests: and these elder scholars formed a knot within the general body, and gained influence by the same means as the teachers themselves. Soon, therefore, the Teachers (*Magistri, Doctores*) monopolized all the higher functions; — as, the right of deliberation and decision on common interests, of electing, and being elected; — alike in the general organization, and in that of the separate nations.

The preponderance of the Teachers was confirmed, by their being the only representatives of the whole scholastic body to those without. As that body grew in importance, it attracted the attention even of the temporal Sovereign, and much earlier that of the Pope. Now to whom but the Teachers should the Pope address himself, when the Chancellor had practically transferred to them his most important prerogative? The Popes especially aimed to save the Universities from becoming subservient merely to *local* interests, and elevate them into *general* organs of the Church: and the intercourse hence arising, exhibited and confirmed the supreme authority of the Teachers.

We have seen how the first grant to them by the Chancellor, drew after it, almost by necessity and by natural developement, the full system of their power. It must be observed also, that as the scholars originally went through their entire education in a single school, each teacher was supreme enactor of the *curriculum* of study for his own scholars. When therefore the Teachers coalesced, it could not but be that they possessed collectively the powers of *scholastic legislation*, which they had already exercised individually; and, there is no question* that it lay from the beginning with the body of Masters (Magistri) and Doctors. Yet it is as

* Bulæus, iii. 141, from the Constitution of Gregory IX.—"Constitutiones faciendi de modo et horâ legendi et disputandi, &c. . . concedimus facultatem."

certain that the Church claimed the right of supervision: and as the matter grew in general estimation, Bishops, Councils, and especially Popes, interfered by undisputed right in minor details of scholastic discipline; yet without detriment to the internal independence of the Teachers. Such anomalies may appear irreconcilable to modern readers; but they need not seem so, if it be remembered that no systematic Constitutions were aimed at; but things were regulated *for then once*, as occasion demanded: a process which worked quite as well with them, as the opposite method with us. Precedent was their general recognised guide. It had indeed to be disentangled, defined, and confirmed; but it was sure to be well meant and well adapted to the spirit of the system. This method of proceeding first unfolded itself in the old Cathedral and Abbey Schools, and descended with certain modifications to the new Academies.

§ 13. *On the Degrees of Bachelor and Master.*

The mode of instruction in the higher branches, was such, as to call out the self-activity of the scholars; the more advanced propounding questions to the rest, especially in the terminal exercises.* We cannot enter into the varying details, practically

* [*In the original*: "Determinationen, (Definitionen,) Disputationen."]

important as they were; but on two things we must dwell a moment. The Bachelor's degree rose out of the separate scholastic disputations, and concerned only the internal economy of one school; it needed therefore no general authorisation. But the Master's degree, *(Magistratus, Doctoratus, Regentia,)* implied the right of opening a school oneself, and was originally dependent on the Chancellor's licence. It was not *then* an academical dignity, but was a mere leave to keep school, granted by an ecclesiastical officer, who within recent memory had been himself the Schoolmaster. But when the Teachers had risen into a *Universitas Literaria*, with authority practically their own (in spite of the Chancellor's theoretical rights)* to confer the licence, the reception of it became an honor, for which many competed who had no wish to keep a school. The Licence was but the testimonial and attribute of the academical dignity now obtained.

The Licentiate thus accepted, was, by virtue of express Papal privileges, competent to open a school any where; but he was not yet member of any particular corporation of teachers. As a general rule however, he would naturally gain formal admission into *that* under which he had been educated. He received a Hat, as symbolic of his admission among the *Magistri* (Teachers,

* In cases of controversy between the Teachers and Chancellor, while things were still wavering, appeal was made to the Pope.

Masters,) and so regular did this proceeding be come, that it was soon looked upon as the legitimate consequence of attaining the licence.

Those who sought and attained this dignity, were in due time called-on to declare whether they really intended to come forward as Teachers. In case they declined, they were naturally disabled from taking part in certain business, conferences and decisions, immediately connected with the relation of Teacher to Scholar. Hence arose the distinction between the *Magistri Regentes* and the *Magistri non Regentes,* the former of whom formed a kind of select committee possessing a preponderating influence in academic matters. With the difference of *Actu Regentes* from *Necessariè Regentes* we have nothing to do at present.

§ 14. *Public trial of Candidates for Degrees.*

Another step was, to convert the private exercises in the schools of the separate teachers, into a part of the general University system. Thus the "determinations" and "disputations" between the scholars themselves, became public academical solemnities, in which the candidate had to make good his ability to teach, prior to obtaining the recommendation, the licence, and the incorporation. Examinations on a narrower scale, either by the Chancellor, or by the Teachers, proportionally fell

into disuse and indeed were superfluous, while the disputations retained their life. In the same manner was the *Bachelor's* degree afterwards raised into an academic dignity; and when it was thus become pre-requisite to the degree of Master or Doctor, the latter naturally assumed the character of a second and higher degree.

We cannot here enter into the details of a fluctuating system; nor into the etymology of technical terms, into the primitive meaning of ceremonies, nor into the history of fees, presents, and treats, which the candidates were to give *per fas aut nefas*.* The changing sense of terms involves harassing difficulties, which cannot be investigated in this work. But we have reason to believe that up to the end of the twelfth century the title of Bachelor denoted merely a scholastic step; after the middle of the thirteenth, exclusively an academic dignity. In the interim, there was irregularity: and it must be kept in mind, that the elevation of the Teachers into a corporate ruling body, preceded the developement of the academic dignities.

* Bulæus is ample on the subject. Meiners thinks that much may be said upon all the points.

§ 15. *Separation of the Faculties.*

We proceed to an important subject;— the formation of the *Faculties*. Not to enter into minutiæ concerning the *form* which they assumed, their substantial *nature* resulted directly out of the materials of knowledge then existing. The new philosophy had grown insensibly out of the old, especially out of the dialectics of the Trivium. The Quadrivium also was retained, but fell into a lower place; its four sciences becoming mere preparatory studies to the Facultas Artium.* It is remarkable, that these positive branches of the old studies, though neglected in comparison with the speculative ones, coalesced with them in common opposition to the practical studies of Jurisprudence and Medicine. These last were not admitted, as in the circle of *artes liberales*. Their principal roots were long fixed beyond the scholastic pale, except in the Italian Universities: and though they afterwards were as it were grafted into the main stem, they still remained subordinate. The sciences auxiliary to medicine had indeed no small connexion both with the studies of the Quadrivium and with the prevailing dialectics; yet a separation of Law and Medicine from Arts, was unavoidable; and these formed two new *Faculties*. It was otherwise with Theology. As a science, it had unfolded

* Also called *Facultas Philosophica*, from the preponderating tendency. [On the Trivium and Quadrivium, see the Note in p. 4.]

itself entirely out of the old studies, and could not be severed from them; and had not the coming-in of Canonical Law evolved new materials, Theology might perhaps not even have constituted a separate Faculty. In other places the Jurists sought to keep possession of Canonical Law; but in Paris, they were weak: and the Theologians, by seizing upon it, first separated themselves from the students in Arts. This separation was promoted by the zeal of the mendicant orders for the rights of the Pope, against those of the Empire; but the origin of it lies much farther back.*

Etymology suggests that the word Faculty primitively meant *ability to teach* in one branch; and then was applied to the authorized teachers of it collectively. Such bodies of Teachers did arise, in separate branches, by the same process as in the general stem; namely by their co-operation to examine those who were candidates for the *Licentia*. With the progress of learning, separate schools for each branch had become necessary, and separate examinations by the special Teachers. We have however no documentary history of these changes. We must suppose that at first, a Teacher of Medicine or Law obtained, from the Chancellor direct, a licence to open a school: certainly no Teacher of Arts could have claimed to examine him. But when scholars had sprung from the first schools, and a body of Teachers arose; the right of

* See Note (1) at the end.

examination in their own branch would naturally fall to them: and such a body is as fitly called a *Facultas*, as Teachers in Arts a *Universitas Literaria*.

The farther corporate developement of the Faculties need not occupy us. (In Oxford and Cambridge it never went so far as in Paris.) Nor can we here investigate the relation of the Faculties to one another and to the *nations*.

§ 16. *On the preeminence of* ARTS *in the University.*

So surpassing was the preeminence of *Arts*, embracing, as it did, all the old sciences and the new philosophy; that it is even questionable whether the Term *Facultas* is strictly applicable to the Masters of Arts, who are properly the *Universitas*. The studies of Law and Medicine grew up by the side of Arts, but never gained strength to compete with the last: nor has the principle ever been attacked, *that the University has its foundation in Arts*. Yet this apparent preeminence concealed a real inferiority. The Students in Arts always maintained (more or less successfully) that their studies were an indispensable preparation for the Faculties. What else was this, but to assign to the Arts a lower position, as being merely preliminary? The great superiority in age and in other external circumstances, on the part of students and graduates,

in the Faculties, led to the same result; for some of the graduates in Arts were mere boys. But the final settling of these matters varied with place, and with the relation between the Faculties and the Nations. In Paris, the sympathy of studies and of age between the Masters of Arts and the *Nations*, developed a democratic spirit in the former, in opposition to which the Faculties came forward as a natural aristocracy of the elder men. Their precedence was at first but honorary; the formal rights being vested in the Arts, from which were elected the Proctors of the Nations and the Rector. But when, with these officers, the *Deans* of the higher Faculties were united in administration, and the Doctors* also of the Faculties gave their votes in the Assembly of the Masters of Arts; a new *Universitas* in fact arose, out of the old *Universitas* and the Faculties conjoined. For a while, the old University did not rank as a Faculty of Arts coordinate to the other Faculties: for the Students in Arts represented the *nations*; and voting by Corporations in the Assembly, they had practically four votes† instead of one. But after the fourteenth century, the occasion for the *national* state was lessened, and the system gave way. The *scientific* state assumed the ascendant, and the other Faculties did all they could to elevate

* This word was once identical with *Magister*, *Teacher*; being applicable to every branch alike.

† [There were four *Nations* in the University of Paris.]

it. Thus in the fifteenth century the national corporations, though existing, were no longer represented by the Arts, and the latter was but one Faculty, with a single vote, like each of the other Faculties.

§ 17. *On the Organic Structure supposed to be requisite to constitute a University.*

Our review suggests the inquiry—What form of organization and independence will answer to the notion of a *Universitas Literaria?* The whole difficulty of reply turns upon the fact that it is a question of *more or less.* We cannot at all go along with the idea that Letter and Seal on the part of supreme authority, ecclesiastical or temporal, are the critical matter. We believe contrariwise that organization generally proceeds of itself without formal sanction for some time; and that in the farther growth, external Power can protect and ratify, but cannot create. The structure must work itself out, according to the organizable materials at hand, by a natural independent energy of life.

Right of Internal Regulation.

Yet it may be well to point a few steps in the developement: and FIRST, the right of *internal regulation.* By reason of difference in language, in manners, and rights of property, it was an

axiom in the Middle Ages, that "foreigners must be judged by their own laws:" and as none could know these laws but themselves, they were left to settle by themselves all internal questions, wherever they colonized and were amicably received. There can then be no doubt, that the *nations* of the Students, from the very first moment of their assembling in numbers, possessed a sort of sovereignty over their own members; especially since the scholars were favored guests, whose company was desired.—Within the lecture-rooms equally, was an authority independent of external control; exercised however under a form more monarchal. But the scholastic monarch was tied too closely by precedent to rule arbitrarily; and the *scientific* union overpowering the bonds of *nation*, brought him into closer contact with the Church and her Head. Indeed many Papal Bulls and Briefs meddled with internal arrangements of the schools: yet we must not infer that the school was not independent, but only that the independence had its limits. Even in the fullest power of the Universities, there were like interferences; nor did Papal and Royal Ordinances scruple to overrule and dictate to the *nations*,—in matters strictly internal, and when their corporate rights were most recognized,—as often as some evil forced itself upon external notice. Doubtless the same must occasionally have occurred at earlier times.

Transfer what has been said of the *Nations* and

Schools, to the *University* itself; and it becomes clear that the first step of organization is, when the University (that is, the Teachers corporately) assume the right of enacting and deciding in scholastic matters:—the right which each Teacher before possessed in his own school. One Authority would now-over rule all, without distinction of schools or *nations;* reserving only the right of interference for the Church or Chancellor. But when the Teachers were recognized by Pope and Prince as representatives of the entire body of students, the former presently extended their power to legislate for all students, in regard to numerous matters within the academic life, though wholly beyond the circle of the schools themselves. Herein they may have clashed with the authority of the *nations*, (for the bounds dividing the two could not be defined,) yet the corporate independence of the nations was still theoretically upheld. Like encroachments were made on the authority of the separate Faculties; in short, not only on the *Colleges* (in the stricter sense) which afterwards arose, but on the more ancient *Hospitia*, or lodging houses where teachers and scholars dwelt. Doubtless a sort of corporate law had established itself already, for the internal management of these dwellings.

Exemption from common Jurisdiction.

A SECOND step of corporate growth is characterized by *exemption from common jurisdiction.*

It would begin with personal matters, and such as the general laws of the land had imperfectly provided for; but it would afterwards reach far beyond this limit, in cases where none but members of the body were concerned. Quite different is the right claimed by members of Universities to be under *ecclesiastical* jurisdiction, which some have confounded with the other, supposing it a step of progression attained at Paris, Oxford, and Cambridge, nearly at the same time, at the beginning of the thirteenth century. But this state of things at that period shows itself as the established order, and there is no proof that it was an innovation.* The opposite opinion rises out of the belief (which was above contested,) that the Universities were originally independent of the Church. Now in fact, the primitive relation of the Universities to the Chancellor and to the old schools, shows at a glance that the Bishop or his deputy must at first have been the ordinary Judge of the Teachers and Scholars. The presence of *lay* Teachers and Scholars would occasion anomalies and fluctuations, and as the lay spirit predominated in their mind and life, we can understand the occurrence of frequent conflicts between the ecclesiastical and temporal authorities, even concerning really clerical persons; while, as even the lay persons took the name *Clerici*, it is not wonderful that they were claimed by the ecclesiastical jurisdiction. Exemption from the

* See Note (2) at the end.

ordinary tribunals would consist, not in becoming subject to the ecclesiastical courts, but in becoming free from them.

Of this nature was the controversy of the University of Paris against the Bishop and Chancellor, and against the Papal interference. At first, it was a question as to the *limits*, or a resistance to the *abuse*, of the Episcopal rights; but at last it came to an effort for entire Emancipation. The right to "internal" jurisdiction on the part of the University, was conceded by the Bishop and by every body; the whole difficulty was, to define *internal concerns* appropriately. Take the phrase in too narrow a sense, and the corporate rights of the University were annihilated; explain it too widely, and the Bishop's jurisdiction was at an end. Yet he was needed by way of appeal, when parties who were wronged by the lower authority would otherwise take the law into their own hands; though in fact the cases of appeal reported to us are explicable only by supposing incurable ill will somewhere. It is any-how certain, that the University of Paris never gained this second step of independence. The Papal patronage did but aid them against gross *encroachments* on their rights by the Bishop, the Chancellor, or the temporal powers.*

Corporate rights concerning POLICE *and* PROPERTY.

The THIRD and last step of independence lay,

* See Note (3) at the end.

not in particular privileges such as an individual might possess, but in the extension of the rights of corporate legislation and jurisdiction; which (we shall find) drew within its sphere persons lying *beyond* the University itself. This indeed in matters of POLICE must have happened from the very first. But hereto were added questions of PROPERTY, as the University and its members grew richer, and when finally it fell into contest with the STATE. This happened, when public ministers and farmers of taxes were desirous of violating the academical privileges before granted by the Sovereign. In the University of Paris however, no pretence of real independence was set up, and all such questions were decided by the Royal Judges. Minor police matters were brought before the Chancellor or the Academic Tribunals; those which concerned public revenues, before the Treasury officials. Afterwards indeed, Appeal was gained to the Parliament of Paris; but it was mainly on the favor of the King that the University was forced to depend, in case their privileges were violated: for the royal prerogative asserted preeminence over the Pope himself in this matter. The University however, had an ultimate remedy in a *secession*, or voluntary suspension of all scholastic business. Needlessly enough, the Pope *sanctioned* this proceeding: as though without him they had not an inherent power to do nothing. The royal ordinances at a later time to limit the right of secession

were but injurious remedies for injurious abuses; symptomatic indeed of coming revolution in the State itself. It has been mentioned that the University of Paris never attained the same full measure of corporate independence as other Continental Universities, especially those of royal foundation. But we must turn to the English Universities, which in these matters went beyond any on the Continent; in that their jurisdiction extended to all cases concerning any person connected with them, excepting possessors of copyhold property held on a free tenure.

CHAPTER II.

THE ENGLISH UNIVERSITIES BEFORE THE THIRTEENTH CENTURY.

§ 18. *The antiquity of Oxford has been undervalued.*

As early as the end of the ninth century, Oxford was the seat of a school of the highest intellectual cultivation then existing. By the end of the eleventh it had as good a title to be called a University, as had that of Paris; whether we regard the quality of its studies, or its inward organization. Nothing of the sort can be shown of Cambridge, till after the twelfth century had begun; but in the thirteenth she takes her place by the side of her elder sister.

Both in England itself, and in Germany, the real antiquity of the English Universities has been rated far lower; as though Oxford had been first founded by a Colony from Paris in the thirteenth century, and Cambridge somewhat later, by migrations

from Oxford.—I am not willing to expose myself justly, to the rebuke which will be thrown on me unjustly, of *cooking up old wives' tales*. I do not maintain that the English Universities were founded by British or Iberian Princes, by Grecian or Roman Philosophers—nay, nor by King Alfred, in the extent and with the detail which has been pretended. Yet I believe that Meiners's work is the only and the insufficient ground for most of the opinions which I dispute concerning these Universities and Universities in general. Rejecting uncritical pedantry, I believe we can establish the antiquity of the Oxford University by real historical proof.

§ 19. *Tradition connecting the University with Alfred.*

When our historical researches lead us farthest back into the darkness of ages, then most must we cherish as valuable even insignificant matters, if they are but trustworthy; and this consideration may suffice to give some weight and interest to subjects otherwise tedious. Such moreover is my reverence for the genealogies of the past, that I rather sympathize with our "Foster Mother" of Oxford for her fond clinging to the tale of her descent from Alfred, than blame her clumsy unhistorical defence of it. Both for individuals and for corporate bodies, a sentimental affection for

the past is a valuable set-off gainst a shallow over-valuing of the present. And who may not justly glory in anything that could connect him with such a man as ALFRED! Can history place any name above his, or even at his side? Hero, Statesman and Sage, warmed by humanity, sanctified by religion, eminently cultivated in intellect, and abounding in genuine patriotism;—the very splendor of such a character tempts us to disbelief: although the newest and most authentic researches* do but add fresh confirmation to the truth of the facts. No wonder that Oxford has held fast by the tradition which unites her to him;—a tradition which has never been disproved. There is no evidence whatever against it: and though we cannot pretend direct historical proof in its favor, indirect proofs exist, adequate to give such a measure of confirmation, as in the darker portions of history satisfies reasonable minds.

§ 20. *Literary state of Alfred's times.*

It is well known, how the path between Saxon Britain and Rome was first opened by Gregory the Great;† and how Apostles of the Christian Faith issued from Britain to convert the Pagans of Germany: how England was desolated by the struggles

* See especially Lappenberg's History of England.

† See Warton's History of English Poetry, 1st Part, on the Introduction of learning into England.

of Saxon Chiefs, and by inroads of the Sea-kings of the North. Meanwhile, learning was so trampled under foot, that no traces of it were to be found, except in Ireland, and in the North and West of England; when Alfred appeared for his people's rescue. From the less distracted parts of his own kingdom he collected pious and learned men, and brought over others from the Continent; *—a harvest long since sown by the apostolic missions of England: and now happily reaped. The will and example of the King gave a vast impulse to learning, and his youth flocked to the newly opened schools.

§ 21. *That Oxford was a seat of learning in Saxon times, and probably in Alfred's reign.*

The question here arises, whether *Oxford* was one of the chief seats of learning in that day?

No other place is authentically named. The story given in the biography of Alfred by Bishop Asser, explicitly tells of scholastic institutions at Oxford, not only in his day, but as far back as the fifth century. This absurdity has led to the conviction, that the passage is not authentic: yet we may inquire, whether all of it is an interpolation or a part only. My own mature judgment is, that the

* Such as Plegmund, Werfrith, Asser, St. Neot, Johannes Erigena, Johannes de Corvey, Grymbold of Saint Omer.

beginning and end are authentic, in which are narrated the contests of the Schoolmen and the efforts of Alfred to reconcile them. The intermediate part is very awkwardly interposed and (I think) was interpolated in order to pretend the yet greater antiquity of these institutions.* Beside this testimony, (in itself assuredly unsatisfactory,) we have other proof that before the Norman Conquest, Oxford was a seat of learning: and we find in Oxford itself internal marks† of some other origin than from Abbey or Cathedral Schools.

We have testimony, that the Anglo-Saxons partook in the scholastic movement of the eleventh century: many of them indeed are named, as frequenting the celebrated school of the monastery of Bec in Normandy. The political intercourse of England with Normandy, and the extent of British commerce, made this inevitable: and though the only passage in which Oxford is *named*, (viz. by Ingulf,‡ the Conqueror's Secretary,) is not beyond suspicion; it has never yet been attacked.

The oldest authentic accounts of Oxford lead us to believe, that its schools are earlier than the Norman Conquest. That scholastic streets, (*School-street* and *Shydiard-street*§) existed there in the year 1109, is clear from old documents quoted by Wood.‖ A

* On this matter I have enlarged in Note (4) at the end.

† See below on the Halls and Inns: also on the position of the Oxford Chancellor.

‡ See Note (5) at the end.

§ Vicus Schediasticorum.

‖ Wood does not use the quotation as a basis for the argument here advanced.

scholastic population must have filled them; and we can hardly allow less than from twenty to thirty years, for the gathering of such a population and erecting of the streets. Now this takes us back just to the horrors of the Norman Conquest and its immediate consequences. None can choose such a date as the conceivable origin of the system: we are forced to carry it higher. We then fall back on the Saxo-Danish period, and on the time when Ingulf is said to have studied in Oxford. Granting that this is the first notice of the system, it is unreasonable to infer that this was its beginning. Indeed even at a later period, it is seldom enough that the Chronicles are led to name the Academicians. Now considering what times preceded the Conquest, we may be sure that at most they would barely sustain existing schools. No reign nearer than Alfred's was likely to originate them.

Thus whatever we know at all,— by tradition, by documents (suspected or unsuspected,) or by the evidence of general probability,— converges to the same result,— that the Oxford Schools are as ancient as King Alfred.

§ 22. *Physical position of Oxford.*

Even the physical position* of Oxford might seem worthy of Alfred's wisdom. In the middle of

* See Note (7) at the end.

Southern England, situated on several islands in a broad plain, through which many streams flowed; it had easy communication with the Metropolis and with other parts; while by its marshes it was inaccessible to an invading enemy. Its own fortifications are recorded to have been of singular strength; while those of London Bridge hindered the sea-pirates from sailing up to attack the town. Once only did the Danes occupy it as enemies, viz. in 1009; and then perhaps only one quarter, or island. As, then, at the time of the Conquest it was an important place; and, soon after, we find its prosperity to depend on the University; this must probably have been the case also at an earlier period.*

§ 23. *Fluctuations in the progress of learning.*

Of course I do not mean to say that the connexion was *uninterrupted* between the scholastic institutions of the ninth and of the eleventh century. We cannot imagine that the studies went on quietly during the Conquest, or even in the Dano-Saxon period. Many scholastic buildings may have fallen into ruin, or have become void: yet if traditions and lively recollections remained, they would exceedingly aid the after-revival of the University: indeed, a self-restoration might be expected, whenever peace and quiet returned. Slowly and

* See Note (7) at the end.

diffidently this took place toward the end of the eleventh century. The zeal for learning in a Lanfranc or an Anselm, could not be wholly vain; and in the milder reign of Henry I. the effects began to appear. His marriage with *good Queen Maude* began the reconciliation of the two races and a new nationality; and thenceforth men of learning appear in England, equal to any of their Continental contemporaries: nor was it without reason* that the king, as patron of learning, received the name of Beauclerc. It is *admitted* that all through Stephen's stormy reign the age still advanced in intellect, till it reached its most flourishing state in the thirteenth century:† we *know* that from the beginning of the twelfth Oxford was in repute as a seat of learning; and there is every probability that she bore a large share in the national progress.

§ 24. *Oxford was depressed by being too much in advance of the age.*

Whether Oxford was already to be called a University, whether she had any *pre-eminence* over the schools of Canterbury, Saint Alban's, Lincoln, Westminster, Winchester, Peterborough,—may indeed be questioned. Granting that she had none in the beginning of this twelfth century, it rather goes to prove my point. For (as will be stated) there is

* See Note (8) at the end. † See Note (9) at the end.

ground to believe that Oxford was then less popular with the Church and the public, for the very reason that she was before the age in her estimate of *positive* Science. In fact, in the middle of the century Civil Law was taught by Vicarius at Oxford; and Medical Science not long after by others. Beside which, although we find no mention of any Abbey or Cathedral Schools which could be a nucleus for the University, yet it had *Halls* and *Inns* from the earliest time: wherein it shows a remarkable prematureness of developement, distinguishing it from all contemporaneous institutions.

§ 25. Divergence *of the Oxford System from that of Paris.*

The points of contrast to the University of Paris, which, in the midst of similarities, Oxford presents; grow more strongly marked with time, and indicate a difference of origin and of organic tendencies. All this is at once accounted-for, if we believe the system to come down from Alfred. Although the relative antiquity of the Universities of Paris and of Oxford is not to be treated as an affair of honor, it is not immaterial to a right understanding of the history: and the superior antiquity of Oxford, once established, sets at rest many erroneous opinions. Now that a considerable emigration of students took place from Paris to Oxford about 1229,

cause of disturbances in Paris, is true: and it doubtless imparted a great impulse to Oxford: but such a fact, in face of the evidence already adduced will never prove that *then* first it began to be a University. At the same time, I am not denying the superior ability of Paris in those times: for Oxford never claimed more than the second place.

§ 26. *The effect of the Emigration from Paris has been overrated.*

If the Parisian emigration had been* the commencement of the Oxford University, the character and form of the latter would have been mainly determined by the new elements now brought in: Oxford would have been modelled after Paris, as to all fundamental points. But in point of fact, on many of these we find singular contrast. She had but two nations and two Proctors, instead of four as at Paris; and no Rector, no common head: the position also of her Chancellor peculiar. Again; the prevailing usage in Oxford was to live in Halls and Inns, (out of which the Colleges arose;) while this at Paris was the exception, not the rule. Had not the system of two nations, (North and South English) been already immoveably established, the Parisians would surely have organized themselves

* Note (10) at the end, is intended to show more fully that Meiners is wrong on this point.

as a third nation co-ordinate to the rest: but no foreign nations were recognized in the Oxford system.

§ 27. *The position of the Chancellor at Oxford had no parallel at Paris.*

It has been imagined indeed, that the *Chancellor* of Oxford was nothing but the *Rector* of Continental Universities with a new title; a pure assumption opposed to testimony and to facts.* The two names had every where their distinctive meaning, though occasionally the functions of both might be united in one person. In Oxford, the Chancellor was the organic head in the second half of the thirteenth century; but we have decided* accounts that his position was very different in the former half, when, like the Parisian Chancellor, he was an *Episcopal* officer, beyond the scholastic body, and could not be, like the Parisian Rector, its organic head: so that in fact, the University had then no head at all; but the two Proctors in a certain sense supplied the want. We are justified in assuming that in the previous century also the same arrangement subsisted, there being no indication to the contrary. Yet there are marks that the Chancellor considered himself to be a true member of the University, and no mere foreign inspector appointed by the Bishop:

* See Note (11) at the end.

and this may help us to understand the otherwise unparallelled and extraordinary change of his position, which exerted influence so important on the University. Mere external circumstances would hardly have sufficed to bring about such a change.

To explain the fact, it may be imagined by some that there was originally a Rector, who was afterwards transformed into an Episcopal Officer. But, how would this have vested him with the title and power of Chancellor? The idea is unsupported by testimony; and is a reversing of the probable order of events. In Paris and elsewhere, the Universities began in entire dependence on the Church, and went on towards independence. In Oxford (according to this view) it was just the opposite. Nor can any date for such a change be found. For the Rector must have been a recent officer in Paris in the year 1200 (indeed the *name* was not yet thus appropriated:) while before this date the imaginary Oxford Rector must have fallen under the episcopal authority.

§ 28. *On the Oxford* HALLS *and* INNS.

We shall get involved in endless contradiction, if we allow ourselves to assume, without the slightest evidence, that the University of Oxford developed itself out of Abbey or Cathedral Schools. The very early appearance of Halls and Inns in Oxford

remarkably distinguish it from Paris, where the students lodged in private houses among the town's people.* Even if ever they hired a house expressly for themselves (a thing not recorded) it must have been an exceptive case: while in Oxford it was ever the rule that they lived separately from the townsmen. The few Parisian Colleges† which rose after the date of 1200, were not a gradual developement of the Inns, as at Oxford; (where the Inns too rose out of the Halls;) nor did they ever attain any great influence over the University. The great mass of students still lived among the citizens; a thing most rare at Oxford, and hardly admitted at the Parisian emigration of 1229: while the gradual preponderance attained by the Colleges was evidently an organic movement, brought about mainly by internal causes, though favored also by external circumstances.

It has appeared that the Halls existed immediately after the Conquest, and were doubtless earlier than that era: nor have we reason for imagining any other state of things to have existed before, even up to the very time of Alfred. We are then led to believe that the kernel of the University was one or more Halls founded by Alfred himself; that is to say, that from the very beginning it was essentially a scholastic body, and not a number of parish priests, who undertook tuition of youth as a bye-work. Believing that historical criticism fairly

* See Meiners i. 107, &c. † See Note (12) at the end.

tends to this conclusion, I must not shrink from it on the mere ground that it is the same as the antiquarians of Oxford have reached by an unhistorical method; nor will their pedantic follies shame me from avowing, that the tradition which, ever since the thirteenth century, has represented University College as a part of the Alfred foundation, is not wholly to be rejected.

Her very independence of all Ecclesiastical Corporations, must have been injurious to Oxford, by depriving her of powerful support. After the Conquest, we find the Halls and Schools in the possession of common citizens, and the academicians to have lost whatever endowments they before possessed: a natural result of the circumstances. Their buildings, as well as their lands, had probably been seized by violence; and they had no redress. Yet it may be that their own Halls had become dilapidated during the suspension of studies in those troublesome times, and that none remained habitable but those which had all along been the private property of townsmen. On returning they would be glad to live together in the old fashion, paying a rent for the permission.

§ 29. *On the original Oxford Chancellor.*

We cannot positively decide, whether the *Principal* of the schools was originally nominated by the

King or by the scholastic body: and the analogy of the University of Paris wholly fails us in this matter. Nor do we even know the original title of this Principal; except that we may be sure it cannot have been *Chancellor*, since his functions were wholly different. But we have proof that twenty or thirty years after the Conquest, the appointment was important enough to be contested between the academicians and the Church.* It was to be expected that the *Ordinary* must at the first prevail. No fixed system was actually at work; and the general system of the Church patronage, as well as the analogy of the Continental Universities, was in favor of the Bishop's power. Thus an *Episcopal Chancellor* was set over the schools. Yet the person so installed was sufficiently identified with the academicians, to make it needless for them to elect a Rector as their head in the same way as at Paris, where the Chancellor had estranged himself from the University, Moreover, as his duties were internal to the University, he was naturally called the *Oxford* Chancellor; while the actual Chancellor of *Lincoln* retained those peculiar duties toward the Bishop, which had been the principal functions of the Parisian Chancellor. So great was the importance of the fact that Oxford was not the seat of a Bishop and Chapter. It may indeed cause surprise that

* The Bishop of Lincoln was especially active in the matter. [Oxford was at that time in the diocese of Lincoln.]

the name *Chancellor* was given at all, and not *Rector*, to the new head of the University; but the latter title might have given inconvenient countenance to the notion, that his election lay with the academicians; besides that the Oxford Chancellor exercised functions never any where falling to the Rector; as, the granting of the *licence to teach*, and other ecclesiastical jurisdiction. Let it then be considered, that the Parisian Rector, being a creature of the University, could but receive from the University the rights which she herself possessed; but the Oxford Chancellor, being a head bestowed from without, enlarged his attributes and jurisdiction in proportion to the growth of the ecclesiastical authority. Thus, when drawn over entirely into the scholastic body, by the latent affinities which existed in him, he brought with him to the University that great extension of rights which characterized the English Universities in contrast to Paris and other places.

But these points of contrast were not immediately apparent. In the earliest times the points of agreement were more influential; and on that account we may, with these reservations, illustrate our subject by comparison with the University of Paris. The unimportance, at that time, of the functions of Rector, and indeed of the corporate rights themselves of both Universities (confined as they were to purely *internal* jurisdiction) make any differences between the two on these matters quite

secondary.—But whatever we say on these subjects is gathered from probable evidence, not from contemporaneous testimony. To my knowledge, the University of Paris has no documents older than A. D. 1200, and Oxford is far more deficient.

§ 30. *Similarity of Oxford to Paris as to* STUDIES *and* DEGREES *in early times.*

All that concerns the studies and degrees must have been substantially the same in both Universities. An old Latin rhyme (in Wood) expresses itself quaintly on this subject:

> "Et procul et propius jam Francus et Anglicus æquè
> Norunt Parisiis quid fecerint Oxoniæque,"*

We may indeed regard this as an unavoidable result of the intellectual state of the times, and of the relations between England and Northern France. On the other hand the immigration from Paris in 1229 has had its importance to Oxford overrated and misunderstood. There was no need of a colony from Paris to effect that which the progress of events would have wrought out: still less could it have brought a more advanced organization than it left in Paris. More effect may have been produced immediately after the Conquest, by Normans

* [To French and English far and near is known,
At Paris and at Oxford what is done.]

or French, who stood in some connexion to the Paris schools; yet they must not make us forget the action of Saxon scholars,—unless England was then destitute of scholastic cultivation, or the native Saxons were excluded from the University: suppositions contrary to all known facts. Nor indeed were there at Oxford any fat benefices and rich sinecures to tempt the Norman conquerors to exclusive measures in that domain. Much rather may it be believed, that the poor Saxon student returned into the ruins of the old schools unenvied and unmolested. At any rate from Henry I. downward, there is not the smallest reason for imagining that Normans had any exclusive rights at Oxford: nor is it improbable that the intellectual union of the races which here took place, powerfully contributed to their amalgamation into a single nation. Any-how it is remarkable, that in the academic *nations* we find a mere geographical distinction,—North and South English; not, Normans and Saxons. As regards the pretended prohibition to talk Saxon publicly, it concerns us not here; for Latin, not Norman, was the language talked in the schools.

After all that has been said, we can hardly be expected to detail the early scholastic developement in Oxford. Much was undoubtedly in mere embryo, and very unsettled, even in Paris: the two Universities however had several points in common. In both, the *licence to teach* was granted by the Bishop,

or Chancellor, to *suitable and worthy men;* and the Teachers themselves co-operated in deciding on the ability of candidates. In both, the right to teach was gradually transformed into an academic degree; a governing body of masters was formed within the academicians; and special *Faculties* arose. Nor were superintendence and patronage, by the Church, rejected at Oxford any more than at Paris. Indeed, not the Pope and the Ordinary only, but the Chancellor also, exerted a decided control over every part of the Oxford system. There was the less need of interference on the part of the Head of the Church, because Oxford was but a small town, and her schools far less important than those of Paris. Her academicians lived in masses, apart from the citizens, and are said not to have exceeded the number of three thousand in the year 1209.* We shall see that the contrast of Oxford and Paris depended not a little on all these circumstances.

§ 31. *Early state of Cambridge.*

But we must now bestow a glance on Cambridge. This town was raised into a seat of learning first by the monks of Croyland, a place about thirty miles to the north of it. Their Abbot Goisfred had studied at Orleans, and promoted their teaching (A. D. 1109—1124) at a farm called Cottenham

* Matth. Paris ad a. 1209.

near Cambridge, and afterwards in a barn at Cambridge itself.* The great press of students rapidly raised up schools; and, though we have no direct proof of their continuing to exist for any time, these may probably have been the germ of the University. Any-how it is certain,† that (A. D. 1209) riots in Oxford induced three hundred scholars and masters to migrate, many of whom settled at Cambridge. In 1231 we find that the new University had attained all the essential peculiarities of Oxford: but it is reasonable to believe that even at the earlier period (1209) the Cambridge schools had already some important attractions to Oxford scholars, although they may not have attained the eminence of a University, until elevated by the fortunate immigration. No decided differences appear to have existed between the two Universities until after the Reformation. We may therefore direct our

* The authority for this story, is Peter of Blois, in his "Continuation of Ingulf's History of England" (Saville), and we find no objections fatal to his testimony. It is true, he names *Averroes*, as studied with *Aristotle*, *Cicero*, and other scholastic text-books; which clearly cannot agree with the date of the transaction itself — (1109 — 1124): [For Averroes was not even born till A. D. 1149: *Translator*.] But Peter of Blois, as a contemporary witness of the fame of the Arabian philosopher, may very innocently have mixed him up with the other authors, as a matter of course: nor is there even need of supposing a later interpolation. Whether there be one or not, even Lappenberg, (who seems to fancy that there is,) does not hesitate to look upon the account as true in the main, and to make use of it as such. It would then be unbecoming in me to reject it. The date [1109 —1124] is fixed from "*Ordericus Vitalis*" where *Evisfred* is named as Ingulf's successor.

† See Note (13) at the end.

attention to Oxford principally; and this is the more needful, as the scanty materials to be found with respect to Cambridge are in fact only just sufficient to justify us in this course. All that appears, is in strict analogy with the Oxford institutions. We may then infer, that Cambridge was under the superintendence and patronage of the Ordinary, the Prince Bishop of Ely, whose extensive prerogative could never have been resisted by any Abbot of Croyland. Even at the present day, the Bishop possesses, in theory, rights over Cambridge, from which Oxford was expressly emancipated in the fourteenth century. The more recent institution could not resist the spiritual power so advantageously. Yet we may assume, that the influence and example of Oxford would draw over the Cambridge Chancellor into the body of academicians.

CHAPTER III.

GENERAL REMARKS CONCERNING THE ENGLISH UNIVERSITIES IN THIRTEENTH AND FOURTEENTH CENTURIES.

§ 32. *Middle Age of the English Universities.*

For the future we have to deal not with uncertain inferences, but with positive history of the Universities. Our task is now simpler and better defined; yet the difficulty of selecting what is instructive is greater: and the reader must allow me to pursue my own course as to the arrangement of my materials. I find it here especially needful to discriminate the internal from the external history. The latter is apt not only to be eminently uninteresting, but to take for granted the very thing which we most desire to know. The Annalist writes for men who have a familiarity, which we have not, with the internal history;—the condition, organization, importance, efficiency, and general position of the

University: *we* must use external facts principally as clues to guide us toward this more valuable information.

To mark off the Middle Age from the Modern Period of the University is certainly very difficult. Indeed the earlier times do not form a homogeneous whole, but appear perpetually shifting and preparing for a new state. The main transition however was undoubtedly about the middle of the fourteenth century; and the Reformation, a remarkable crisis, did but confirm what had been in progress for more than a century and a half: so that the *Middle* Age of the University contained the thirteenth century, and barely the former half of the fourteenth. The changes are not so much the bloom and decay of the same institution, as radical revolutions into new states, which must be measured by wholly new standards. Many things which at the beginning of the fifteenth century were supposed to be causes or symptoms of decay, proved after another century to be conditions essential to prosperity in their altered circumstances.

Yet there is no question, that during this Middle Age the English Universities were distinguished far more than ever afterwards by energy and variety of intellect. Later times cannot produce a concentration of men* eminent in all the learning and

* Names such as Grosseteste, Bacon, Middleton, Hales, Burley, Kilwarby, Bradwardine, Holcot, Duns Scotus, Occam, and others. —See Note (14) at the end.

science of the age, such as Oxford and Cambridge then poured forth, mightily influencing the intellectual developement of all Western Christendom. Their names indeed may warn us against an undiscriminating disparagement of the Monasteries, as "hotbeds of ignorance and stupidity;" when so many of those worthies were monks of the Benedictine, Franciscan, Dominican, Carmelite, or reformed Augustinian order. But in consequence of this surpassing celebrity, Oxford became the focus of a prodigious congregation of students, to which nothing afterwards bore comparison. The same was probably true of Cambridge in relative proportion.

§ 33. *On the* NUMBER *of the Academicians.*

Difficult it is alike to be at rest without computing their numbers, or to be convinced of the truth of any computation. A tolerably well authenticated account, attacked of late by undue scepticism, fixes those of Oxford at thirty thousand, in the middle of the thirteenth century. The want indeed of contemporary evidence must make us cautious of yielding absolute belief to this: in fact we have no document on this matter even as old as the Reformation. But we do not *know* that the author of the statement had no documentary proof, and we have no reason to suspect him of intentional

forgery, so that our main question is, whether the thing is intrinsically too improbable. Now if the number thirty thousand included all the serving persons, (for barbers, copyists, waiters,* and many others were matriculated, and some of them actually took part in inferior scholastic exercises, and were reckoned as *clerici* or *clerks*,) it appears in fact even probable. Not only did the Church and the new orders of Monks draw great numbers thither, but the Universities themselves were vast High Schools, comprising boys and even children.† It is not extravagant, if Cambridge was not yet in great repute, to imagine fifteen thousand students *of all ages* at Oxford, and as many more attendants. Nor was it at all difficult to accommodate them in the town, when Oxford contained three hundred Halls and Inns: and as several students dwelt in one room, and were not careful for luxury, each building on an average might easily hold one hundred persons. The style of Architecture was of the simplest and cheapest kind, and might have been easily run-up on a sudden demand: and a rich flat country, with abundant water carriage, needed not to want provisions.

That the numbers were vast,‡ is implied by the

* [Parchment preparers, Illuminators, Bookbinders, Stationers, Apothecaries, Surgeons, Laundresses, with their understrappers and other nondescripts, (p. 225 of the German.)]

† To the same effect we find in Bulæus, iii. 81; "Let no one study Arts in Paris, until he has passed his 12th year."

‡ Further see Note (15) at the end.

highly respectable evidence which we have, that as many as three thousand migrated from Oxford on the riots of 1209; although the Chronicler expressly states that not all joined in the secession. In the reign of Henry III. the reduced numbers are reckoned at fifteen thousand. After the middle of the fourteenth century, they were still as many as from three to four thousand; and after the Reformation they mount again to five thousand. On the whole therefore the computation of thirty thousand, as the maximum, may seem, if not positively true, yet the nearest approximation which we can expect. Of Cambridge we know no more than that the numbers were much lower than at Oxford. [(*From a note in vol.* ii. p. 250, *of the German.*) I had strangely overlooked the following direct evidence, quoted by Wood, (i. p. 80,) out of a sermon preached by an Oxford Master named Richard of Armagh, before the Pope at Avignon in 1387. "Although," he says, "there were at the *Studium* of Oxford even *in my time thirty thousand* students; there are not now six thousand." He attributes the diminution to the intrigues of the Dominicans: but contemporaries are bad judges of the causes of social changes. As to the matter of fact, his testimony is decisive; and it suggests a correction of my statement that the numbers of the students reached their zenith in the middle of the thirteenth century, and then permanently declined; for "*my* time" must refer to the early part of the fourteenth century.]

It is really of great importance to know whether the students of a University, are reckoned by hundreds or by ten-thousands. Vast numbers, eminently testify intellectual activity in the nation and times; especially since the University was as yet very poor, and had no outward attractions to offer. Moreover the multitude of minds simultaneously enjoying cultivation, must have helped greatly to increase the richness and variety of the products. But the intellectual importance of Oxford at that period, is universally acknowledged.

§ 34. Positive *Science at Oxford.*

We have only to add, that while in the general, there was a substantial identity between the scholastic learning of Oxford and of Paris, yet Oxford was more eager in following positive science;—and this, although such studies were disparaged by the Church, and therefore by the public. Indeed originally the Church had been on the opposite side; but the speculative tendency of the times had carried her over, so that speculation and theology went hand in hand. In the middle of the thirteenth century we may name Robert Grosseteste and John Basingstock, as cultivating physical science, and (more remarkable still) the Franciscan Roger Bacon: a man whom the vulgar held to be equal to Merlin and Michael Scott as a magician, and whom

posterity ranks by the noblest spirits of the fifteenth and sixteenth centuries, in all branches of positive science,—except theology. A biography of Roger Bacon should surely be written!

Unfortunately, we know nothing as to the influence of these men on their times, nor can we even learn whether the University itself* was at all interested in their studies. Yet we may rather believe that the learned men then, were not so much severed from practical influence as at a later time; when we consider the restless energy of the Universities, the diversity and extent of their study, their internal freedom, and the active intercourse between teachers and pupils. Indeed, as there were no endowments adequate to support these eminent men, so much the more needful was it for them to interest† others in their sciences; while the intellectual spirit of the age warrants us in believing that this was not likely to degenerate into sordid and despicable results..

It was at Oxford that Giraldus Cambrensis propounded his *Topography of Cambria,* nor is it likely that this was a solitary case,—an example of individual caprice. We have also a strange testimony to the interest which in the beginning of the fourteenth century the mass of the students took in the speculation of their elders; for the street *rows* were carried on under the banners of Nominalists and Realists.

* For at a later period, we certainly find great eminence of *individuals* coexist with entire apathy in the *body*.

† See Note (16) at the end.

§ 35. *Systematic tumults at Oxford.*

Offensive to our feelings as are the tumults of these scholastic bands, we must beware of inferring that they were incompatible with a general zeal for study. Cause enough for complaint must have existed: but the complaints were then loudest, when the disorders had really abated; when a sterner discipline had gained ground in the Colleges, and the State had ended the quarrels of the Gown and Town, by interfering in favor of the former. Indeed, towards the period of transition, the organization of the Nations was dissolving of itself, and physical disorder was perishing from internal debility; but at the same time, not without a corresponding decay* of intellectual energy.

The coarse and ferocious manners prevalent in the Universities of the Middle Ages are every where in singular contrast to their intellectual pretensions: but the Universities of the Continent were peaceful, decorous, dignified,— compared with those of England. The storms which were elsewhere occasional, were at Oxford the permanent atmosphere. For nearly two centuries, our "Foster Mother" of Oxford lived in a din of uninterrupted furious warfare; *nation* against *nation*, school against school, faculty against faculty. Halls, and finally Colleges, came forward as combatants; and

* See Note (17) at the end.

the University, as a whole, against the Town; or against the Bishop of Lincoln; or against the Archbishop of Canterbury. Nor was Cambridge much less pugnacious. Scarcely Pope or King could interfere (in matters however needful) without unpleasant results. Every weapon was used. The tongue and pen were first employed: discussions before all kinds of judges, ordinary and extraordinary, far and near;—negociation and intrigue with all the powerful of the day: and when these failed, men did not shrink from the decision of violence.

§ 36. *Importance of the fact that Oxford was not a capital City.*

Such matters would hardly deserve more than a passing allusion, were nothing deeper hidden beneath these scandalous riots. But they are closely connected with the freer and more manly developement of the nationality of England, which has there consolidated into practical utility ebullitions of intemperance, which elsewhere have been at once culpable and absurd. The *local* circumstances of Oxford were in this connection also important. The Universities were in fact *scholastic colonies upon the domain of common life;* and of necessity were affected by the soil, so to say, and climate, in which they were planted. Now Paris, Toulouse, Orleans, Bologna, Padua, Naples, Pisa, Lisbon,

Salamanca, and afterwards Prague, Vienna and Cologne, were towns of the first rank, and wholly independent of their Universities: but Oxford and Cambridge were great, only by virtue of the academicians. The Town would in each case have risked suicide, in endeavouring to crush the privileges of the Gown. Contrariwise, in the great cities of the Continent, the academic body upheld its rights against the townsmen, only by calling-in the aid of the higher spiritual or temporal authorities. Where such authorities did not exist, as in Bologna, and Padua, the Universities would soon have been utterly ruined by the brutal tyranny of the town-corporation, had they not invoked help from the Emperor, the Pope, and the Venetians. These potentates placed officials of their own in permanent residence at the Universities, for the protection of the scholars; a measure which at the same time contributed not a little to the greatness of the towns. While this was for the individual benefit of the academicians, it kept them corporately in a wholly subordinate position. It is hardly necessary to say, how at Paris the University and its Rector were eclipsed by a Royal Court, by the High-Courts of justice, by Nobles, Bishops and Abbots. But at Oxford and Cambridge the Sheriff was the highest civil officer, the Archdeacon the highest functionary of the Church: and so defective was the police of that day, that even when a matter came to blows, these officers

might not easily get the better, unless well forewarned, and (in extreme cases) determined to exert themselves. Nor would they ever think of more than keeping the peace, and confirming the *status quo*. But in greater cities, the temporal and spiritual dignities repressed with a high hand every tumult. The very Rector of the University met with little ceremony from a Captain of the Royal Body-Guard, or even of the Provost's Guard: and the authorities sought to punish for the past and prevent for the future, as well as to uphold tranquillity for the present. In fact in our modern days, when the most uproarious of academicians is a lamb compared to the heroes of the Middle Ages, it has been thought advisable to remove some of our German Universities to the Capitals for the express purpose of enforcing discipline upon them. What then must have been the case, in the time of the old defective police, and in a University numbering from fifteen to thirty thousand scholars? We may in fact say, that the unparallelled extension of corporate rights won by the University, were not more obtained through the Chancellor, than *fought out* by an academic mob.

§ 37. *On the Funds and Estates of the University.*

In the whole earlier period, the University-Corporations had been populous and poor. By fees,

contributions, impositions and donations, money came slowly in: legacies were rather more productive. Their slender funds, lent out at moderate interest to their own members, yielded a scanty income: but it is remarkable that as yet the University had none but *rented* buildings, and little or no land. They were miserably supplied with Public Rooms for scholastic uses; as nothing of the kind appears to have been University-property. An ill-defined right in Saint Mary's Church was gained by lengthened use. There, or partly in the Church of Saint Frideswide, were kept the monies, treasures, books and deeds of the University: afterwards, the handsome rooms erected by several orders of monks* proved a great convenience, being rented occasionally by other teachers. Endowments of course did not exist: every teacher was left to find his own level, and (as we have seen) he generally dwelt with his pupils in the same Hall or Inn. Their food, and other expenses, were defrayed in common: but in the *Disciplina Scholarium* (Ed. of 1496) it is hinted to be convenient, that the scholars relieve the Master from the trouble of all such provision. But meanwhile, the various monkish societies domiciliated in Oxford possessed some landed property, and hereby stood on a different footing; nor is it easy to explain their relation to the University,

* First of all, the Augustin Monks; and hence comes the Oxford technical name, *Austins*, for certain exercises.

which was indeed a contested point. Anyhow it is clear, that this state of things was essentially democratic.

§ 38. *Transition to the Aristocratic State.*

But after attaining its greatest external privileges, a new process commenced to the University. The number of students diminished, but endowments kept increasing; and of course democracy waned rapidly. Several of the cohabitant societies began to procure houses and land, and to draw revenue from them, as the Monastic bodies had done. Under the name (generally) of *Colleges*, they became incorporated as organic parts of the University: and as the stream of students ran off, these fixed points stood up to view and were relatively more and more important. The University became gradually more dependent on fixed possessions, and assumed a new impress. It was, of course, more aristocratic; and did not wholly escape the deadening influence of worldly goods. The number of endowed Colleges continually increased: University buildings arose, and all the material foundations of stability were consolidated.

CHAPTER IV.

THE "NATIONS" (OF NORTHERNMEN AND SOUTHERNMEN) IN THE ENGLISH UNIVERSITIES.

§ 39. *Limits of time within which the* NATIONS *appear at the Universities.*

The system of *Nations*, which we explained to be party-associations of the students, according to their different places of birth, sprung up in the English, as well as in the Continental Universities, as an order of things congenial to the wants of the age. We may suppose the *Nations* to have existed in Oxford soon after the beginning of the twelfth century; in Cambridge, after the beginning of the thirteenth.* No regular *history* of them is possible; for we meet with only incidental allusions to their contests, and to their bloody skirmishes. We know

* See Note (18) at the end, for evidence that the date assigned by Meiners is erroneous.

nothing of their constitution, rights, and laws, except that they were, in fact, if not in legal form, expressly recognized as communities, at least *by* and *in* the University, up to the end of the fourteenth century. At the beginning of the seventeenth they were becoming gradually obsolete. An occasional authority was vested by them in some of their more eminent members to provide for order and to treat for peace; as is mentioned in 1252, 1267, and 1274. Their only permanent authorities were the Two Proctors; but although the functions of these two officers are well ascertained, it is not certain in what relation they stood toward the Two Nations, except that they *were elected by them* for *two* years. When the nations kept holiday,* all sorts of disorders would break out, calling for severe discipline and new legislation: but little besides is known of them. Nor is it safe to appeal to the University of Paris, and supply by analogy all that we wish to know concerning Oxford; for even the Faculties, based as they were on the same studies and the same state of knowledge, had developed themselves very differently at those two Universities. How much more easily may this have happened in regard to the *nations*, which were composed of materials originally different at Oxford and at Paris.

Throughout the fourteenth century and especially in the first half of it, the nations are mentioned, by

* See Note (19) at the end.

the names of Northernmen and Southernmen, as continually taking a part in riotous exploits. Even in the fifteenth century, we hear of crimes committed by Irish and Welsh vagabonds, called Chamberdekins,* who pretended to be scholars; but nothing further is stated distinctly of the nations till 1506: and in 1587, we hear of them for the last time. The vast decrease of numbers, and the importance of the Colleges, had long since broken-up the system: in fact, so great a fusion of the North and South of England had taken place, that no materials existed for the distinction of two nations at the University. Yet in 1540 the Proctors are still discriminated by the names of the nations; nor does the new method of electing them by the Colleges appear till 1626. We may believe that in the time of transition there had long been irregularities and uncertainty: at least, that the Nations, from inward feebleness, ceased to elect, before the right of electing was formally lodged in other hands. It may indeed seem doubtful, whether the conflicts of Northernmen and Southernmen, mentioned in 1587 after a full century of inaction, were not a new phenomenon under an ancient name. At any rate this geographical distinction of students disappeared in the Universities with the sixteenth century.

* [*Cameris degentes*, i. e. living in private lodgings.]

§ 40. *The four* NATIONS *at Paris, and their* PROVINCES.

The University of Paris had far more of a European than of a French character, as to the elementary bodies which composed it. It comprised four *Nations*, viz. French, English, Normans, and Picards; the French containing as *Provinces* (or subdivisions) Frenchmen, Provençals, Gascons, Spaniards, Italians, and Greeks. Under the English Nation were ranked the British and Irish, Germans and Scandinavians. The third Nation had no subdivision. The fourth comprised Picardy, Brabant, and Flanders. Races so opposed, socially and politically, could not cohere in any durable organization, with one another, and with the common population around them. It would have been impossible to admit the University of Paris into any close political and social relation with the nation at large. Nor indeed was the case very different in the other Continental Universities.— But although foreigners often came to the English Universities for the advantage of study, they were never recognized as integrant parts of the scholastic organization. Its two nations were wholly native, except that the Southernmen generally included the Irish and Welsh, while under the Northernmen were comprehended the Scotch.*

* See Note (20) at the end.

§ 41. *Contrast of genius between Northern and Southern England.*

In a philosophical survey, one may be allowed to remark on the analogy borne by these two nations to the grand European contrast of Germanic to Romanic races. Not to dwell on the physical geography of the British Isles minutely, nor to embarrass ourselves at present by the—still not insignificant—out-lying masses of the Celtic population; we may remark that the tribes north of the Mersey and Humber were mainly Germanic, while in the southern portion of Britain the Normans and the Romanizing Anglo-Saxons predominated. The contrast of the two elements continues almost to this day; indeed thirty years ago, the Scotch and English were as strange to each other's feelings, as Germans to Dutch.* Yet a fusion of the two began at a very early period, in consequence of the wars with Scotland, and afterwards with France; so that a new or *English* nationality developed itself. But southern Scotland still stood aloof, and maintained a far purer Germanic character; (for it is now well known *not* to be Celtic;) moreover the mass of the English people, in contrast to the nobles, must be regarded

* Without giving due weight to such considerations no sound history can exist. Yet it is going into the opposite extreme to explain the history of *modern France* by the mixture of the conquerors and conquered in the French population.

as Saxon, and not French. The complication was increased by the growth of the great commercial towns of the South,—London especially,—which tended to exalt the Saxon element, and to amalgamate North and South. The advance also of intellectual cultivation,— in language, poetry and literature,— had its chief spring in the middle orders, though I would not say that the nobles took no part in it. Difficult as it may be to bring demonstrative proof, it still seems reasonable to believe, that the two Nations at the University of Oxford represented in matter of fact this double element, and that with the progressive fusion in the country at large, they naturally lost their significance. Indeed the great *political* importance which has ever belonged to the English Universities seems explicable only by their action and reaction on the national existence.* To this, their *scientific* importance is frequently essentially inferior; a fact, the knowledge of which is requisite to avoid the strangest errors.

§ 42. *Sympathy between the English Nation and the Universities.*

In those days, (I have already said) the Universities as it were monopolized education; including

* Even in the German Universities, crippled by State-Mechanism, the pulsation of national life is intensely felt; and but lately, clanship was rather vigorously upheld.

students both younger and older than in the present day. The scholars of the higher faculties must have been from twenty-five to thirty years old; the Doctors much older; the number of resident Masters far greater than now. In those ages also personal servants were comparatively far more numerous than at present; and, before the wars of the Roses had drawn the Barons off to other pursuits, every noble family sent at least one son to the University, accompanied with an ample train of followers. The townspeople of England likewise took much more interest in University studies than afterwards. Before the ecclesiastical abuse of giving benefices to foreigners had become prevalent, the Church was their open door to elevation. On the whole, in the period of which we treat, the University comprised the strength and bloom of the nation; picked from all ranks and orders, North and South, and sympathising intensely with the general course of public policy. The excitability of youth accounts for many an outbreak; and, as every pulsation of the national life was certainly felt in great power at the Universities, so it is probable that the nation received in turn many a vigorous impulse, especially on points of learning and science. In fact, the "Degree" being an *indelible character*, a student who had ceased to reside, did not cease to sympathize with his "Foster Mother": and every rank of civil, and much more of ecclesiastical life, was filled with men who

identified themselves with her interests.* We have indeed still to fight against the prejudice, that all erudition was then confined to a few ascetic or dissolute ecclesiastics. On the contrary, the scholastic culture (be its merits what it may) was widely diffused through the nation at large; and, especially by means of the intellectual position of the Clergy, formed a tie to which later times have nothing to compare. Those days can never return—(we may have a lively realization and love of them, without desiring that:)—for this plain reason, that *then* men learned and taught by the living word, but *now* by the dead paper.

§ 43. CENTRAL *position of Oxford.*

England *is "an Island," "a little world!"* as Shakspere proudly felt;—the sea-breeze braces her children's hearts:—and of "this England" Oxford was the centre. Not only in the vacations did her special members return to their homes in all parts, but her messengers were engaged every where in all seasons of the year. So intimate has her connexion ever been with the whole country, that Popular Opinion, ages ago, looked on serious University-strife as a presage of civil war. Indeed,

* See the works of John of Salisbury, Peter of Blois, Girald of Cambridge, and other biographies, &c. in Warton, the Monasticon, Leland, Hearn.

(whatever may be said,) the usual disputes among young people at drinking bouts, do not suffice to explain the Oxford feuds, or the formal battles in which even Masters and Doctors took part. They are the continued vibration of powerful springs, elsewhere set in motion. In Wood, we read a very significant monkish doggerel:—the monks of those days were the chief union between high and low:—

Thus old story says:
From our Oxford frays,
After few months and days,
All England's in a blaze.*

§ 44. *Riots concerning Realism. Speculation upon its connexion with the Northern or Germanic spirit.*

About the end of the twelfth century, the conflicts of Realism and Nominalism began, but they rose into full vigor under the patronage of Duns Scotus and Occam, in the first half of the fourteenth. The Northernmen declared for their Countryman and his Realism; the Southernmen sided with Occam and his Nominalism. Wyckliffe also, who soon became celebrated, was a North Countryman and a Realist, but it would be far

* *Chronica si penses;*
Cum pugnant Oxonienses,
Post paucos menses
Volat ira per Angligenenses.

too precipitate to connect Realism with the Reformation *generally*. We only assert, that at *that* period both Realism and Reformation found favor chiefly with the Northernmen; and that the two causes may in *their* minds have been somehow connected. The author believes also, that the Germanic spirit, being prone to Ideology (as Napoleon remarked,) has also in it a certain spiritualism that tended to Protestant views. But all this is said with diffidence and under correction. Any-how it will not be questioned that there is a close sympathy between the Germanic mind and Protestantism, between the Romanic mind and Roman Catholicism; nor is it a mere fancy, to believe that this very controversy was deep at work in the University of Oxford, at a time when none understood the full meaning of their strife. Even at a later period, when all England was decidedly Protestant, as contrasted with the great Southern kingdoms, the Northern part of England was preeminently Protestant as compared with the South. Indeed at the end of Elizabeth's reign, after methods so stringent had been used to suppress the weaker party in the Universities, and so great an internal revolution had passed upon them, we find the contests of Northern and Southernmen renewed, at the time when the Puritan controversy was rising into strength. It is remarkable how much underhand countenance Presbyterianism received at Oxford, (as will hereafter be stated,) even when professedly in disgrace.

§ 45. *Comparison of the two modern political parties with the two Nations of the Universities.*

The distinction of *races* has vanished in the nation at large, and *political parties* have taken their place. We may however remark that Whiggery* is of Scotch (or Germanic) origin; while *Toryism* had its strength in the South. The Southern element still prevails in the Aristocratic and High-Church spirit, and in the *old-fashioned* classical studies of the College system; and that this system is truly Romanic, may easily be proved by comparing it with the Universities of Spain, which have suffered least disturbance in recent centuries. The Northern system, driven out of Oxford, took refuge in Edinburgh, the Athens of the North, where every thing reminds us of the German Universities and of the German developement of the Reformation. The main strength of the *Liberal* intellectual developement in the last half century has come from Scotland and the North. That is ever the seat of the animating spirit, though the material power which ultimately works out the results will be found in the populous and wealthy South; whether in the seventeenth or in the nineteenth century.

* The name is derived from *Whig*, the Scotch name for *sour whey*. *Tory* is well known to be a word of Irish origin, originally applied to Irish Catholic outlaws.

It is a confirmation of the above to hear, that the modern intellectual Reform party itself, as well as its opponents, look on Germany as the fountain-head of its movements; and it seems that they cannot be altogether wrong in bestowing on us the honor or the shame. Each English University has still its Minority, representing the Northern interests, and, in no small measure, of real Northern extraction: and at every shaft which strikes the University, men's eyes instinctively turn northward for the bowman who shot it.

§ 46. *Outbreak and Secession, in* 1209.

Having endeavoured to exhibit the *general meaning* of the contrast between the two nations, as ever existing both in England and in the microcosm of the Universities; I must endeavour to collect such details as deserve notice, in the remote period when the two academic nations were in their zenith.

In the year 1209 a scholar practising archery accidentally killed a woman, and immediately made his escape. The townspeople seized some of his companions and hanged them, with the permission of King John, who was then residing at Woodstock. Such an outbreak on the part of the *town* is intelligible enough; but why the *King* should have countenanced them, needs some

explanation. The nobility were at this time struggling against the royal power, while the Pope too was aiming to gather-in the crop which had been fertilized with the blood of Thomas a Becket; by connecting the English Church more closely with Rome, and defending it against the encroachments of the Crown. The King would fain have played off the Pope and Barons against one another: the Pope, finding no sure aid in the Barons, had sought help from France; and in 1208 had issued his famous interdict. Hereupon, the mean, passionate and cowardly King, in universal spite against the Church, rejoiced to trample on ecclesiastical jurisdiction by the murder of a few poor Oxford scholars.

It is possible that the University had not wholly stood aloof from the contest between the Pope and King; and that this stirred up the wrath of the latter. However, they now determined on a suspension of all scholastic exercises, with the sanction of the Pope's Legate, Nicholas of Tusculum; who laid an interdict, not only on the Town, but on all Masters and Scholars who should continue in residence. The town immediately suffered by the departure of so large a body as three thousand Masters and Scholars, and in 1213, after the King had been humbled to accept his crown from the Pope *in fee*, the Oxford citizens had to submit absolutely to the mercy of the Legate. The Town-Warden gave security, by oath, in the name

of the Corporation, not to encroach in future on the episcopal authority: to offer masses for the departed souls; beside paying fines and remitting house rents to the living. The University also received privileges from the King on this occasion, to which it afterwards appealed: but of their nature we have no distinct account.

Yet it is a curious fact, that a considerable part of the University refused to abide by the decision of the Majority; continued their studies at Oxford; braved the Papal Interdict, and incurred the punishment of three years' suspension. Although no positive proof is attainable that this refractory body consisted of the *Northernmen*, I feel persuaded that this was the case. One may see in the proverb of the South Countrymen,* *All evil comes from the North*, how intense was the opposition at that very time.

§ 47. *Riot of* 1238.

The University after this began to feel its own strength; as is manifest from an occurrence which deserves to be told somewhat more at length. We take our account from Matthew of Paris and Thomas de Wyke (in Gale, p. 43)

"About this time (1238) the Lord Legate Otho (who had been sent to England to remedy multifarious abuses in the Church) came to Oxford also;

Applied to Bishop Gilbert the Northumbrian by a South English Monk, A. D. 1214—(Wharton Anglia Sacra, p. 146.

where he was received with all becoming honors. He took up his abode in the Abbey of Osney. The Clerks of the University, however, sent him a goodly present of welcome, of meats and various drinks for his dinner, and after the hour of the meal repaired to his abode, to greet him and do him honor. Then so it was that a certain Italian, a doorkeeper of the Legate, with less perchance of courtesy towards visitors than was becoming, called out to them with loud voice, after Romish fashion, and keeping the door ajar,—'What seek ye?' Whereupon they answered: 'The Lord Legate, that we may greet him.' And they thought within themselves assuredly, that honor would be requited by honor. But when the door-keeper with violent and unseemly words refused them entrance, they pressed with force into the house; regardless of the clubs and fists of the Romans, who sought to keep them back. Now it came to pass also, that during this tumult a certain poor Irish clerk went to the door of the kitchen, and begged earnestly for God's sake, as a hungry and needy man, that they would give him a portion of the good things. The Master-cook however, (the Legate's own brother it is said, who filled this office for the fear of poison,) drove him back with hard words, and at last in great wrath flung hot broth from out of a pot into his face.' 'Fie, for shame!' cries a scholar from Welshland, who witnessed the affront, 'shall we bear this?' And then bending a bow, which he

held in his hand (for during the turmoil some had laid hands upon such weapons as they found within reach) he shot the cook — whom the scholars in derision named Nebuzaradan, the Prince of Cooks — with a bolt through the body, so that he fell dead to the earth. Then was raised a loud cry; and the Legate himself in great fear, disguised in the garment of a Canonist, fled into the tower of the church, and shut-to the gates. And there remained he hidden until night; and only when the tumult was quite laid, he came forth, mounted a horse, and hastened through bye-ways and not without danger, led by trusty guides, to the spot where the King held his Court; and there he sought protection. The enraged scholars however, stayed not for a great length of time seeking the Legate with loud cries in all the corners of the house, saying: 'Where is the usurer, the simonist, the plunderer of our goods, who thirsts after our gold and silver, who leads the King astray, and upsetting the kingdom, enriches strangers with our spoils.' "

The exasperated Legate issued an interdict against the University, and called on the King to punish the crime with exemplary and indiscriminate severity. The King, with his usual precipitation, put authority into the hands of the Town to take the preliminary steps; in which quarter there was no lack of rancorous activity. Scholars and Masters were huddled into prison with all sorts of

lawless violence. The Sheriff of Oxford gave his help to arrest students, wheresoever found; and a general dispersion and flight ensued. But the extravagance of the retaliation raised up for them a defender in Grosseteste, the excellent Bishop of Lincoln; who, in face of both King and Legate, threatened with his interdict whoever should make an unwarrantable attack on any scholar; and before long, pity for the suffering of the innocent began to move the Legate himself. To all Churchmen it seemed invidious and shocking, that the University should thus be handed over to the rude violence of the Town; and the Court was already ashamed of itself. The Legate appointed a penitential procession on the part of the University, to beg pardon of him with due humility; and his pride being thus appeased, he became sincerely reconciled.

§ 48. *Reflections on the above—and on the relation then sustained by Grosseteste to the University.*

A close consideration of the facts, shews this to have been no mere academic brawl. The reproaches with which the scholars attacked the Legate, were the expression of the public opinion in England; and do but state more correctly and plainly, the sentiments then held by many of the most eminent English divines. The whole nation soon after came forward energetically to resist the

peculations of Rome, and her obtrusion of foreigners into English benefices: and we here see the University convulsed by the same dispute. Moreover the very name of the distinguished bishop who headed the opposition to Rome, speaks powerfully to the fact, that in Oxford we witness the national struggle in miniature. Robert Grosseteste, friend of Roger Bacon, and one of the most learned men of his time, was for nearly a whole generation the head and soul of the University; exercising there an influence attained by no one else, before or after him.

His preference for the *positive* studies and of the old Augustinian theology, threw him into yet stronger collision with Rome, which was beginning to fall away to the new philosophy. It is not then wonderful that neither all his piety, nor the public reverence, and the express petition of Edward I.,* could obtain his canonization of the Pope. Nay in spite of the warm panegyrics passed on him by the King and by the University, in addresses to the Papal Chair, he was stigmatized as a heretic, and his bones were not allowed to repose in consecrated earth. But the English people did not the less reverence *Holy Robert of Lincoln* and celebrate his memory in tradition and song.†

* See Note (21) at the end.

† Wood states, "Upon his death (1254) an incredible sorrow fell upon all the gownsmen, the poorer regretting a most benevolent patron, the rest a strenuous upholder of their rights." In the time of trouble above described, he offered personal security for many of the academicians. "Grosseteste and his times," would form a noble subject for a monograph.

This great man was long a teacher at Oxford, afterwards Chancellor, (or representative of the Bishop) and finally Bishop of Lincoln, the *ex-officio* head of the University. The studies and discipline of the place thus fell under his immediate control, and we have documentary evidence how zealously he fulfilled his duty. Doubtless his anti-Papal spirit must have widely influenced the whole body of students; and (little as he can have approved of the riot which has been described) it cannot be dissociated from the cause which he espoused. Nor is it all improbable that the opposition to Rome had its chief strength among the Northern-men, in the reign of Henry III.

§ 49. *Direct political factions at Oxford.*

A germ of republican feeling had developed itself since the successful resistance to King John; and the youths at the University, bold, passionate, and exercised in arms, could not be neutral. Before the breaking out of civil war, the conflicts between the academic *nations* were so frequent and violent, as to occasion a wide-spread presentiment of public disturbances. The discontented Barons moreover selected Oxford as a suitable place for frequent meetings; especially in 1258, Simon de Montfort assembled there the celebrated "mad parliament," which drew up the articles, a refusal of which by

the King was the critical occasion of the civil war. Two years later, a part of the Oxford students migrated to Northampton, abandoning the University to the opposite faction. But even so, quiet in Oxford was not ensured: for when Prince Edward, in 1263,* showed himself outside the walls with an army, a civil war was produced inside the town between the remaining students and citizens.

To follow this history† in detail, might be tedious. Let it suffice to say, that as the students who remained in Oxford appear to have been of the King's party, so those who migrated to Northampton were his fierce enemies. They were joined there by similar exiles from Cambridge, and at the siege of Northampton signalized themselves above all others by their obstinate bravery; so that the King, after taking the town, was with difficulty dissuaded from putting every one of them to death. After the battle of Lewes (1265) Simon de Montfort restored‡ them to Oxford, and the old state of things rapidly returned. In 1267 we again read of violent conflicts between the *nations*;—perhaps not from new causes;—mere undulations, it may be, continuing after the storm had ceased.

We must infer from the events described, that

* See Note (22) at the end.

† I need not quote on every occasion the usual authorities, Matth. Paris, Rishanger, Walsingham, Th. Wyke, &c. [See Note 23 at the end, on the King's letter to Northampton, for some further information about the migration of the students.]

‡ See Note (24) at the end.

each of the great political parties of the day had its avowed representatives and champions at Oxford; and we cannot imagine that the *nations*, as such, espoused neither side,* when we know that their organic life was then in great vigor. Although, then, the fact is not named, we seem justified in assuming thus much; and we have only to enquire *which* side each nation took. The Barons, though Norman-French by extraction, were engaged on the side of the democracy against the King, and all the important towns were with them. Moreover, it was Simon de Montfort who first set in motion that democratic organ, a lower house of parliament. Thus the new English nationality,—and almost simultaneously an English language and literature,—was springing up. Meanwhile, the King was looked-on as the head of a foreign faction; and indeed his armies were chiefly composed of French and Italian mercenaries. The Pope and the King had vied in efforts to raise such foreigners to power and riches in England. The nation, apprehending a new Norman conquest, (and what abomination did they not attribute to these hated aliens?) had the double task of upholding its freedom against the King, its independence against the Pope. Their traditionary songs, long after, celebrated Simon de Montfort as a hero and a saint; a martyr for

* The Oxford riot in the spring of 1264 was in part at least got up by avowed Royalist Scholars. As to Cambridge, see Note (25) at the end, which will distinctly show that the Northernmen there were the party opposed to the King.

the national Church, and for evangelical truth and life. Popular feeling* wholly identified his cause with that of the revered Grossesteste; and it therefore is not wonderful that Oxford was so deeply moved by the conflict.

Yet it is not to be doubted, that the victory of the national party would have developed plenty of evil among themselves; and would have shown that the controlling power of Rome could not advantageously be dispensed with altogether. We must hesitate then to pronounce the Romish side to have been absolutely *bad*, and the other, as absolutely *good*. Neither among us, nor in the heart of Rome herself, is the struggle between opposite sides of truth as yet settled on such terms, as to attain living truth and unity.

§ 50. *How these movements were connected with the Reformation.*

But it is important to consider, how, out of this opposition to Rome, the more decided reformatory movements developed themselves. On every occasion, the *chief support* of such movements is found in the Saxon element. In fact, the combat for civil and that for religious freedom, were intimately united all along, and were maintained by the same parties. Each cause advanced just in

* See the continuator of Matth. Paris.

proportion as the Saxon spirit became ascendant,—in law, in literature, in social life, in politics. The moving power was clearly in the middle classes and lower gentry, and in the Northern feeling; which gradually drew over more and more of the aristocracy. The Lollards were principally of the middle classes; and their coarser political fellow workers were found among the peasants. The rural wars, with which England was threatened after the fourteenth century, by the worshippers of "Sir Simon the Righteous," that miracle-working martyr and saint; have quite a Germanic character: and there is little doubt, that the Barons had not only learned to regard themselves as true Englishmen, but had really imbibed much of Saxon blood.

§ 51. *The Northernmen of Oxford probably embraced the popular side in the war of De Montfort.*

After all this, (regarding it as certain that the academic *nations* did not remain neutral,)* it seems impossible to doubt that the Northernmen embraced the popular side, and that the Southernmen were of the King's party. In fact, the latter included the great mass of French and other Southernmen, who at the King's express invitation, had come to study at Oxford. The entire expulsion of these had been repeatedly demanded by the Barons.

* See also Note (26) at the end, for some farther notices.

Nor ought it to remain unobserved, that the Welsh students ordinarily sided with the Southernmen; whereas in 1258, (according to Wood) they fought in union with the Northernmen in various severe battles; in which (as Matthew Paris states) they had their war-standards unfurled. Now this strikingly agrees with the well known alliance formed by the Barons with the Welsh Princes.

§ 52. *Gradual decline of contests between the* NATIONS.

It has been already stated, that a gradual change in the circumstances of the academic population brought them to take a less direct and less warlike part in civil commotions. In fact, after the thirteenth century but one undoubted example of this kind occurs. The party spirit of the reign of Edward II. somewhat disturbed the Universities; but no deep national feeling was connected with it. In Edward III.'s reign, Oxford does not appear wholly to have lost its military importance; if we may judge by the urgent address of the King to the Chancellor, to suppress internal disorders, "lest the more exalted personages of the kingdom should be stirred up to innovation." An extraordinary riot is detailed in the year 1389, when the Northernmen conquered the Southerns in a bloody fight during Lent. Among the latter it is mentioned

that Italians were particularly active, and several of them were killed by the Northernmen, who pursued them with the cries: "Battle! Battle! strike and spare not! smite down the Italian dogs and their young!" The Duke of Gloucester came over from Woodstock, and at last gained permission for the Italians to leave the town uninjured: yet they were in fact expelled with much violence and brutal insult.

§ 53. *Depression of the* NORTHERN *interests, and permanent predominance of Conservatism at the Universities.*

Nevertheless, the Northernmen seem to have been physically the weaker party at both Universities, ever after the overthrow of Simon de Montfort. In fact from this era downwards, the *movement* party, whether in Church or State, or in philosophy, has been in an academic minority. There has ever since been a compact and permanent majority in favor of the Southern tendencies, such as Nominalism, Romish rights, and afterwards Episcopalianism; and this coincidence strengthens the opinion, that in the civil war which ended by the battle of Evesham, the Northernmen of the Universities had identified themselves with the party which was then overthrown. Various attempts were made by the Northernmen to secede and found an independent University at Northampton

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or Stamford; and the migration of discontented Oxonians to Cambridge in 1209 and 1239 may account for the greater comparative strength of the Northern interests of Cambridge thenceforward. Curious anticipations these, in the thirteenth century, of the spirit which in the sixteenth gave rise to the University of Edinburgh, and to that of London in the nineteenth.

Even Wood expressly observes that as early as 1314, the Northern party was evidently the weaker; he opines also that the faction in Merton College consisted of Southernmen, which in 1349 elected a Chancellor by force, drove out the Northern Proctor, killed many scholars and imprisoned others. He likewise mentions the fact, that Merton College, to stand well with the University, had refused in 1334 to admit Northern scholars. Yet, not to attribute too much to the civil war to which we have so often referred, it must be remembered that the position of Oxford naturally connects it less than Cambridge with the North. The Southernmen were also somewhat earlier reinforced by the presence of many Frenchmen and others of Romanic origin; and after the Italians were driven out, their spirit and sentiment survived and spread in that party: nor did the expulsion entirely reach the French. Thenceforward the Universities have been on the whole decidedly opposed to the national majority, and to its efforts at progression: as, it need hardly be said, they are at this day.

CHAPTER V.

THE ENGLISH UNIVERSITIES IN THEIR RELATIONS TOWARD THE TOWN CORPORATIONS IN THE MIDDLE AGES.

§ 54. *Difficulty of keeping peace between two heterogeneous populations, locally mixed.*

I MUST here beg indulgence of my readers, if in the course of this chapter I have to adduce petty details concerning the price and quality of common articles and similar mean concerns. Much often depends upon these matters, and it must be remembered that *naturalia non sunt turpia.* Nay, whereever the *spirit* enters, it refines and ennobles all that is lowest; and from such materials we have often to extract the most valuable results.

Even Academicans need food, clothing and lodging, and other etcæteras. Their presence gives

support to numerous trades; and on these depends the developement of the Civic State. Hand in hand with the cause of learning and the reputation of teachers, the numbers and wealth of the townspeople increased, and the importance of the town Corporation: yet mutual need was not adequate to ensure mutual good-will between the Gown and the Town. The conflicting interests of buyers and sellers, and the danger of a deterioration in the quality of goods, called for Market and Police regulations: and some of the most characteristic privileges of the English Universities arose out of the efforts of men to obtain right or revenge by taking the law into their own hand. Two co-ordinate tribunals produced nothing but confusion; yet no higher local authority to overrule both corporations was in those days attainable: it is not then wonderful, that the University claimed and gained a decided supremacy. Her power of removal to another place, while as yet unencumbered with buildings, gave her an inherent independence of the town, and inevitably ensured her pre-eminence. The heterogeneous character of the academic and town population, made it *certain* in that day, that, which ever had the upperhand, would often abuse its power: we must not then wonder that the town struggled obstinately to establish its independence. In spite of this, the jurisdiction of the Chancellor continually extended itself, and his power afterwards gradually passed over into the hands of the University.

§ 55. *Arbiters—and mixed Boards for fixing prices.*

In the twelfth century and in the early part of the thirteenth matters had not yet proceeded to such a pitch of hostility between the gown and the town, as afterwards; nor had it become at all so plain that the interests of the latter must be sacrificed to the former. The friendly arbitration of higher powers, especially of ecclesiastics, was looked-to for terminating disputes. It is therefore the more extraordinary, that in 1209, when (as above narrated) a scholar's arrow proved so unfortunately fatal, the townspeople should have been hurried into such a cruel and precipitate retaliation. In fact there is reason to think, that they were not actuated by any deeply rooted hostility to the University, nor intended to violate its privileges. The extravagant injustice of executing without trial the persons arrested, was perpetrated, it must be remembered, *at the express order of the King;* nor can any thing to compare to this in atrocity, be found in any of the later conduct of the townspeople, when the feud between the two corporations had risen to a far more serious height. The University, of course, made the Town responsible, because it was impossible to call the King personally to account: but the circumstances of the reconciliation afterwards brought about by the Pope's Legate, prove that no very fundamental ill-will

could have then existed, and that they had not begun to despair of establishing a mixed tribunal. For in the very curious Brief, put forth by the Legate on this occasion, we find that the questions of *house-rent* held the first place in their previous differences. The price of lodgings had been decided by *Taxors* chosen from the two corporations jointly; and the Legate settled for twenty years to come, that they should consist of four Masters of Arts, and four respectable citizens. The mention made of the prices of provisions, especially bread and beer, proves that these had been matters of contest; yet the town authorities are merely charged to use vigilance in preventing frauds upon the University. It appears therefore that the Market Police was not yet under the control of the latter. The Town Police was permitted, under certain circumstances, to arrest a scholar, but was directed to give him over forthwith to his own ecclesiastical tribunal. The chief novelty in the Brief, was, that both the Town Authorities and likewise fifty respectable citizens, were to bind themselves by oath before the Bishop of Lincoln or his substitute, to hinder to the uttermost any aggression on the rights of the University. Oxford authors* have chosen to look upon this as an oath of obeisance and homage; but the truth is, that it bound the Town only to do that, which ought to have been matter of course; and at the time it

* See Note (27) at the end.

was felt to be so little burdensome, that the Town did even more than was required of it.

§ 56. *Increase of difficulties, as manners became more expensive and students more dissolute.*

Mixed boards for arbitration, such as have been described, must have been of very great advantage; but their powers were scarcely extended farther than the mere regulation of the prices of lodging, &c. There are indeed indications that in 1228 and 1239 their jurisdiction at Oxford was enlarged* so as to include cases of Police; but this matter is not quite clear. In Cambridge however we have documentary evidence, that this was brought about in the year 1270, by the intervention of the Prince of Wales. A formal treaty was made between the two corporations, providing that a commission be annually elected—of thirteen academicians and ten citizens, sworn to preserve the public peace. Yet nothing durable came of these beginnings. In Oxford, at any rate, they were given up even before the middle of that century: nor could the mixed board for deciding questions of house-rent hinder the most bitter complaints on both sides. Ill will in fact continued and grew, until the academicians, personally or corporately, became themselves proprietors of

* See Note (28) at the end.

houses. The landlords* had endeavoured to throw upon their tenants the expence of the periodical repairs; moreover, when they could get a higher rent from some non-academical person, they desired to retain in their own hands the right of ejecting the students, in his favor. But both these matters were decided against the landlords. Towards the middle of the thirteenth century, with the rapid increase in the numbers of academicians and in the town population proportionably, the state of things became more and more complicated; and questions of police, as well as of legal affairs, became more difficult of solution. The simpler and comparatively patriarchal tribunals were no longer competent. Students from Paris introduced a taste for many new luxuries, of which not the least influential were the love† of wine and of women. It may be believed that the Southernmen were the first to imitate the evil example; but any-how it is certain, that the Northernmen when once shown the way, went to yet greater extremes in the same brutal courses. The manners of the middle ages admitted of a more sharply marked contrast than is now possible, between domestic strictness and loose connexions, monastic demureness and cynical shamelessness:—the two last often related as cause and effect. Nor is

* For details see Wood and Dyer (1231 and 1255.)

† [The Author appends a note in the German with documents to prove this.]

there wanting abundant proof that the dissolute habits of the Parisian Scholars, far outwent those of modern times. Love of dress, of show and every vanity followed; and the students became more arrogant, violent and thoughtless. Almost monkish laws against luxury and dissipation were afterwards enacted; but with little effect, after simpler habits had once given away. Not that it is just to attribute the whole evil to the influx of French students. It in great measure characterized the whole nation at that crisis, owing to the commercial prosperity of England, and its rapid increase of wealth.

§ 57. *Fresh entanglement from the presence of Jewish Money Lenders.*

The influence also of the Jews in the University-population simultaneously increased. A community of this nation had long been established at Oxford, and from them Roger Bacon and others are said to have acquired a knowledge of Hebrew. But public opinion stigmatized all such studies as antichristian; and strong hostility was kept alive against this people by bigotry and by interest united. They were believed to seduce youths to embrace their religion, by the persuasion of handsome Jewesses; and it was often found convenient to cancel debts owing to Jews, by violent attacks

on their persons and property. Such scenes, to the grief of all reasonable persons, took place, not in Oxford and Cambridge alone, but in many other towns of England. Attempts were made to prevent them, by summary orders for the expulsion of Jews; but they never failed either to secrete themselves, or to return ere long; and with the increase of wealth, Jewish money brokers became more and more indispensable. In the Universities they were eminently necessary, and this made them powerful. To abuse power is natural to man; but men so cruelly persecuted must have had a deeply rooted hatred to their oppressors. It is then useless to inquire which were the aggressors. We only know that the Christians assailed the Jews lawlessly, and the Jews retaliated by cautious oppression,—not indeed legal, for their trade itself was looked on as accursed,—yet sanctioned by the necessities of society and by tacit privilege. In modern days, it is easy to tolerate Judaism, because in fact there is nothing left to tolerate: the Jew differing, in no respect, as a trader, from other industrious citizens. But *then*, the two parties stood opposed to each other in sharp, well-founded and bitter enmity, which often burst forth on both sides in horrid deeds of every description.

§ 58. *The Jews act on the aggressive, in* 1278.

The boldness with which the Jews assumed sometimes the place of assailants may well surprise us. In the year 1278, during a solemn procession in honor of Saint Frideswide, the Patron Saint of the town, a Jew tore the cross out of the Proctor's hands and trampled it under foot. The University, it is clear, already possessed jurisdiction over the Jews; and on this occasion they imposed a penalty far milder than could have been expected: that the Jews should make a heavy silver crucifix for the University to carry in the processions, and erect a stone cross on the spot where the crime had been committed.

§ 59. *On the Monastic Bodies resident in the University.*

Connected also directly with the University were the members of the resident conventual bodies: but so ill ascertained were their reciprocal rights and duties, that the most violent and protracted disputes frequently arose between the academicians and these orders,— more especially with the Dominicans. This also tended to complicate yet more the position of the University.

§ 60. *Matriculated Tradesmen another grievance to the* TOWN.

Moreover, it was a sore subject to the Town, that so very large a body of tradesmen and attendants, as constituted the *retinue* of the University already spoken of; should claim exemption from the civic authorities, and rank as members of the ecclesiastical corporation. Not only was the claim of superior rank herein involved; but it gained for the academic dependents exemption from town-rates and other civic burdens; likewise from service in the army and purveyance for the King. Even without documentary proof, it is manifest that such a state must occasion innumerable collisions and complaints.

§ 61. *Confusion produced by bands of Visitors.*

Fully to see the difficulties of the local administration, we must add to all the above, the presence of occasional visitors. Beside those who came to the weekly markets and to the great yearly fairs, the nobility of the country round frequently resorted to both Universities. In Oxford the presence of the Court and Parliament sometimes assembled the Barons of all England within the walls; nay, even without the order or against the will of the King,

the nobles found it convenient to meet there. Chivalric sports were perhaps the pretext; but as the gathering of these bodies of armed men was dangerous to the public peace, it was for the interest of the King and of the University alike, to prevent them. So great and so frequent was the evil, that out of it arose a permanent University-privilege, that "no tournament, games, or warlike sports be held within its precincts." Less violent and noisy, yet not less fruitful in quarrels, were the numerous ecclesiastical assemblies held in Oxford;—the synods of the Archbishop of Canterbury, and the councils held by the Bishop of Lincoln. Similar meetings, probably, were held at Cambridge sometimes. Not to name other inconveniences from such an influx of strangers; it is enough to hint at the disputes which would arise, when a landlord was offered by such guests large sums, for accommodation in a dwelling tenanted by scholars. [With respect to the difficulties of preserving order and discipline at the University, I have not laid sufficient stress upon the well-known fact, (which may be found in the history of other Universities,) that it was principally about the time of Shrove Tuesday, that the worst disorders—at least among the students themselves—always arose; on account of the great concourse and the conflicts of those who had to discuss publicly for their degree. This is stated, for instance, in a Royal Letter of 1378. (v. Wilkins, iii. 157.) "Since, in the times of our

forefathers, the peace of the said University was wont to be very dangerously disturbed at the *Commencement* in Lent, more than at any other time; we have sent," &c. *From the Appendices.*]

§ 62. *On the Judicial Tribunals accessible in the Universities.*

What authority then was to uphold "the King's peace" among masses so thoughtless and heterogeneous. Even overlooking these occasional visitors, the position of the University and Town was in itself sufficiently embarrassing. It is hard to explain the real state of the judicial authorities, without getting entangled in a history of the English Courts of Law: yet a few words on the subject seem to be needed. The *lower* jurisdiction and police in temporal matters, remained with the Town Authorities,—Mayor, Bailiffs and Aldermen. Authority to take cognizance of Religion and Morality, and to a certain extent even of common causes affecting Ecclesiastics, lay with the Bishop or his substitute. But the half clergy, or academicians, were responsible to the Chancellor, saving the rights of the Proctors.

The *higher* police was administered in the immediate name of the King, by the Sheriff and a Jury; but the attributes of the Sheriff are rather uncertain. His business was to maintain "the

King's peace," partly as a judge, partly as a military officer. Besides, high officers of the crown went in circuit as judges, (though not then as regularly as afterwards,) and on more serious occasions were sent down specially, as now. It was only too often that the University-towns needed this procedure.—Finally, as extraordinary aid, when the Sheriff and other authorities were insufficient, special magistrates were created with a sort of dictatorial power, to whom all the others were directed to give support. These were called Guardians of the Peace; since named Justices of the Peace, with very* inferior authority.

It might seem that there could be no lack of judicial powers in such a state of things. But the difficulty arose in mixed cases, which affected Gown and Town equally, and belonged to the *inferior* jurisdiction. These were of very frequent occurrence. On the other hand, the *upper* courts were seldom accessible: and in all the Universities of Europe, their interference between townsmen and academic youths has always proved injurious. This may not be clear, to those who do not understand the peculiar working of such a system, and who are smitten with a love of uniformity and centralization: but the fact is not the less certain. A new difficulty afterwards arose; how to execute sentences and to prevent conflicts.

In both Universities the system developed itself

* On their authority, see Rymer, and the Parliamentary Writs.

according to the pressure of each emergency; and though the process was generally similar, every thing was on a smaller scale in Cambridge, and brought about under feebler impulse. She was, in consequence, often a whole generation behind. When Oxford obtained a privilege, her younger sister laid claim to the same; and sooner or later obtained it, even though she might not urgently need it. But as our knowledge of the details is most scanty, it is as well in all our notices to keep Oxford principally in view.

§ 63. *University Privileges of* 1244 *and* 1255.

From the want of a court to try mixed causes, parties would often take the law into their own hands. But it can be of no interest to us to pursue such instances, except when they gave rise to some organic change. Such a change was brought about in 1244, when a riotous body of students invaded the *Jewish* quarter of the town. The citizens (strange to say) arrested them in great numbers with much violence. It was their duty and calling to suppress disturbances: but the University made complaints so loud and urgent, that the King (Henry III.) was induced to interfere with a prospective and permanent arrangement. In all mixed causes, between gownsmen as buyers or hirers, and townsmen as sellers or letters, he gave the

jurisdiction absolutely into the hands of the Chancellor:* as though the want of a competent judge in these cases had been the chief cause of disorder.

It must be remembered that the Chancellor was still a deputy of the Bishop, essentially depending on him; so that this could not then have been looked-on as an extension of *University* power, but rather of the Episcopal jurisdiction. Even when Robert Grosseteste was in the office of Chancellor, the Bishop allowed him to take no higher title than *Master of the Schools:* this was about 1230. It may well have been supposed, that the Bishop stood high enough above both corporations; and was likely to act fairly towards the town.

Though experience soon showed that a local judge, like the Chancellor, could not maintain his impartial position; his powers were now almost adequate to the difficulties with which he had to struggle. One case still existed, which he was not competent to try: viz. when damage was claimed for violence done to person or property: but it is certain that this defect was shortly repaired. From a document† of the year 1255, this is clear. "If any layman," it says, "should inflict an injury, &c. &c. on a clerk, he shall be imprisoned, until he shall have given satisfaction to the clerk *according to the decision of the Chancellor.*" In 1268, Cambridge gained a similar privilege.

We must not hastily assume, that even this

* See Wood, 10th May, 1244. † See Wood.

was practically an innovation. It is quite credible, that injured citizens had already often sued scholars before the Chancellor, just because his jurisdiction could not be disowned by a scholar: and every case of this sort would become a precedent. Nor even did the regulation of 1244 appear to settle the question for ever. Numerous remonstrances and appeals followed. Men in highest office did not always view the question in the same light, and their decisions constituted counter-precedents on the side of the town. But in course of long time, all these conflicts ended in establishing decidedly the jurisdiction of the Chancellor. Numerous attempts were made, to drag parties before another court: and the execution of sentences was violently resisted. To secure themselves against appeal to higher powers, the Universities gained a confirmation of the Chancellor's rights, from the Pope, from the King, from the House of Peers, and afterwards from the Commons. But centuries were needed, before it could be felt that it was absolutely necessary to submit to the less of two evils, and that the opposite alternative was worse still. It is moreover remarkable that the men of those days doubted the power of the Crown to confer such and such privileges on the University to the disparagement of the Town Corporation; however necessary they were for keeping the public peace. Blackstone expressly tells us: "These privileges were of such importance, that they were looked on as invalid."

For although the King was able to create new courts of justice, still he had not the right of violating the laws by the privileges he granted. Thus after the academic jurisdiction had been confirmed in almost every reign from Henry III. to Henry VIII.; after innumerable causes had been decided by it for three centuries, the first legal authorities in Elizabeth's time were still doubtful as to its validity; and it needed to be sanctioned by an act of her Parliament. In fact the consent of the Nobles—(the Parliament of the day)—had been sought and obtained on* earlier occasions: but it seems, through change of circumstances, or from the developement of legal knowledge, this did not seem satisfactory. Nay, not even yet was resistance silenced; and no wonder, for the foundations of the state itself were beginning to be questioned. To this day indeed it is not clear, whether appeal can be made from the Chancellor to a higher court.

§ 64. *On the supposed privileges granted in* 1523.

Some have imagined that a vast extension of the Academic jurisdiction took place in 1523, when Henry VIII. decided that the Chancellor was

* Twenty passages of Wood and Rayner show this; as early as the thirteenth century. The settlement of 1290 was before King and Parliament.

competent to deal with mixed causes occurring *in any part of England.* This certainly sounds large: but what was the practical meaning? Not *every* graduate was understood to have right of access to the Chancellor's courts, but only an actually residing University-man. If, either during vacation, or through questions of inheritance and other concerns, he were cited in another court, he might plead the old privilege of being tried at the University *(de non trahi extra.)* As early as 1290 the Parliament decided, that strangers in Oxford, of whatever rank, who had any affair with the scholars, should be brought before the Chancellor;* so that the privilege of the University, from old times had been in force against all England, not against the town of Oxford only. But had the grace of Henry VIII. been understood to apply to all *non*-resident graduates, this certainly would have gone near to annihilate all other courts in the

* An enquiry of the Sheriff of Oxford, made before King and Council in 1328, bears reference to such contests as took place between persons connected with the Universities and strangers. It runs as follows. "*Vint un W. de Wyneye un clerk e empleda le dit W. devant le Chauncelier des trespas foitz hors de son poer en forein countee, hors del countee de O. &c., et le Chauncelier le condampna &c., e le detient tant il eust faict greau dit W. d'une grande summe de deners, et faite une obligation de 20£. à l' universite.*" (Rot: Parl: ii. 16.) The answer given says, "*Soit enquerre et soit bref mande a le Chauncelier et Univ: qu 'il ne facent tiels gravaunces au dit W. et lui soeffrent entrer la vile et user sa marchandise.*" From this it appears,—in the first place, that the University had for some time past put into practice this natural, useful, and, in itself, necessary extension of its jurisdiction;—in the second place, that this practice had never been generally recognized as legal, and had not yet been sanctioned by an express privilege.

kingdom. There is little doubt that it did but confirm to the letter the practice which the instinct of the University had already introduced.

§ 65. *How the Academicians might proceed in the cases over which the Chancellor had no jurisdiction.*

Two kinds of cases are mentioned in documents of all periods as exempted from the Chancellor's jurisdiction, viz.: questions of freehold property and those of serious crimes, such as high treason, sedition, murder and mortal injuries. Yet even in such cases the Universities dared to plead their right to a special trial; a fact which has given occasion in modern days to indiscriminate invective against their privileges. For instance; if a student was arrested for a grievous crime, the Chancellor could claim him, to be tried by the High Steward of the University. The Steward, *having first obtained full power under the Great Seal,* summoned a jury of eighteen Masters and eighteen Freeholders to try the case. This, we say, is treated by some as intolerable. But in fact, from the Parliamentary Records it appears that even as early as 1406 and 1409 the University of Oxford made good against the Town and against the neighbouring Country-magistrates its claim to be exempted from the common courts: though we cannot prove that Cambridge had equal rights in

this respect, until 1561.—But again; this was no extension of the *Chancellor's* jurisdiction. It was in fact nothing but the establishing of a *new* criminal court. The Great Seal of the Kingdom was essential to the procedure, on every such occasion: this, and this alone, gave the Steward power to act. On the contrary, the authority of the Chancellor was given him once for all, by the election of the University.* In this matter, the real privilege granted to the scholars, was, the *dignity* implied by such a form of trial, similar to that which was enjoyed by Peers of the Realm: and it is not wonderful that this was at first invidious. Yet in course of time, it could not seem so oppressive as their other distinctions; apparently smaller, yet of more daily importance in the later and more peaceful ages. In fact, during four centuries, it is hard to enumerate ten cases of the other kind: Blackstone knows but of five in Oxford. It is not wonderful then that this privilege is looked on by many as antiquated, and is totally unknown to others.

§ 66. *On the Chancellor's Court of* RECORD.

Some have also seen a farther extension of academic privileges, in the right of the Chancellor's

* [It is not easy to see, how these arguments tend to satisfy the objectors They will object to the privileges, *alike*, whether gained in 1406, or in 1561; and whether exercised through the Chancellor, or through the Steward.]

Court of Record; which had power to proceed either by the Common Law, or by the Roman Law, or by the University Statutes. The Chancellor's Court was put upon this footing as early as 1244 and 1255; and this obviously rose out of the fact, that he was an ecclesiastical judge, and the University an ecclesiastical corporation. That every one who had to do with the scholars, had to abide by the University Statutes, lay in the very nature of the case. On the other hand, academicians would often consent to be tried by the common law alone, only with precautions to prevent this from being drawn into a precedent.

§ 67. PRACTICAL *difficulties of the Chancellor concerning police assistance.*

The extension of the Chancellor's jurisdiction over the *suburbs* of the town can scarcely be looked upon as a new privilege: it was the natural consequence of the ill-defined boundaries between town and suburb. We shall thus find that no real change of *principle* in his jurisdiction took place after the middle of the thirteenth century; and no extension of its sphere after the middle of the fourteenth. Yet doubtless, when it was felt by the Town that the Chancellor was more and more falling into the academic body, great and frequent resistance was made, to that which was

practically a total subjection to the University. To make bad worse to the Town; it being requisite for the Chancellor to suppress riot and to enforce the execution of his sentences, he was next invested with authority over the police, who were in those ages a sort of military body. The constant need of this help tended still more to elevate his power and importance. Originally indeed, as the Town had its Mayor and Bailiffs, the County its Sheriff; so to the University the *Principals* of the *Nations* and the Heads of the *Halls* or *Schools*, were the police-authorities; and the Chancellor was then looked on as an extra-academical officer, who was at liberty to summon any of these to his aid. In those days he had plenty of nominal authority, and two prisons at his disposal—the town prison, (*Bocardo*), and the castle prison;—but he was in want of officers to arrest culprits and stop tumults, being unable to do anything without the concurrence of the Proctors of the nations. Assistance from the Sheriff and Mayor came slowly and dubiously. In affairs so difficult and disagreeable, great zeal on their part or peremptory orders from higher powers were needed, to induce them to act; nor was it considered right to have recourse to the Sheriff at all, except in extreme cases. This officer* himself had

* A remarkable instance of the position of the Sheriff and the insufficiency of the means of control within his power is given in the following document of 1334. "*Willem de Spersholt gardein der Chasteil de O. &c., au Roi et Conseil &c. Le gaol*

but a few men-at-arms at his disposal, who perhaps formed the castle-garrison; while a little standing army whould often have been needed for interfering with effect. When a battle commenced between the town-rabble and harebrained scholars, peaceable citizens and sober students would keep themselves safe at home as long as they could. But confusion and danger would at last reach a point, at which the better and serious part must needs interfere; and real weapons of war were then employed. From a fray rose a riot, from the riot a battle. Unless the King or some grandee had an armed force on the spot, it was requisite to leave the storm to rage itself out. Indeed in any case it was a delicate matter to meddle with a body of exasperated armed combatants, among whom were members of the most distinguished families of the land. But the extreme evil partially wrought its own remedy. In all the more moderate disturbances, it became a received principle that the Chancellor was to have the town-police at his disposal. The citizens were bound by duty to wear arms; and a strong patrol of special guards was formed. (For there was an ancient rule,

du dit Chasteil e surcharge &c. le Chauncelier de join en aultre mande a sa volunte e saunz garant par ses bedeaux clers surrois et norrois &c. dont le chasteile grandement surcharge e le dit viscount se doubte e desasseure de le pluis de sa garde du chasteil &c. et que par mal engeniment de cieux clers demurranz en le chastiels e des aultres dehort &c. pissent estre compasse a le chasteil en peril e. N. S. Roi par taunt ses garnestures et aultres ses choses en mesme le chasteil estrauntz, &c. &c."

which prohibited the scholars from even possessing arms; and the Chancellor would not have called on them to transgress this; which would have been a most dangerous precedent.) But after getting this aid, he was far better provided with the means of controlling riotous students, than of regulating the the behaviour of his guard, or of enforcing by their help against the townsmen his own decrees or the privileges of the University; and we have already seen how in 1238 (to say nothing of 1209) the gownsmen were treated. Thus the University was one moment obliged to beg for the reinforcement of the town police, and the next moment was dreading to use such a weapon. We find alternate complaints that the police was too weak and that it was too vigorous; and the Chancellor was ever in difficulties. It was, then, according to the notions of the time, a clever thought, to bind the town authorities by *oath* to respect the privileges of the University; which (as we have said) was done in 1214. Words to this effect were inserted into the regular* oath of office in 1248, when a scholar of noble birth had been mortally wounded, and his assailants protected by the bailiffs. Yet all this time, the town did not the less question the most important privileges of the University, some of which were incompatible with other parts of the same oath of office; and concerning others, the greatest jurists of the land were in doubt for

* Ayliffe App. p. 7.

centuries afterwards. While the town thus felt itself oppressed, and was yet so necessary to the Chancellor, the Pope and the King together were unable by all their efforts to help the University out of her embarrassment. After many useless efforts on the part of these great potentates, it became clear that the academic authorities must help themselves as they could.

§ 68. *The Chancellor's direct Ecclesiastical and Academic weapons,—inefficient.*

The most powerful weapon in the hands of the Chancellor against the Town Magistrates, was *Ecclesiastical Reproof*, which he could carry as far as Excommunication. This he had at first exercised in the Bishop's name; but afterwards when his connexion with the Bishop became loosened, in his own: and though the Ordinaries protested much and long against this usurpation, yet Popes and Archbishops believed that he could not fulfil his office without this right, and repeatedly confirmed it. The Kings* also ordered their Sheriffs to arrest the excommunicated person, and deliver him up to the Chancellor. Still, this was far too heavy a weapon for common use; and though cautiously employed, does not seem to have led to practical advantage.

* See Ayliffe (1314 and 1316.)

The same objection applied to a *secession* of the University, such as took place in 1209: an extreme measure suited to extreme cases only. Even a *suspension* of studies involved inconvenience and injury to the students themselves, while on the town it operated rather as a serious threat, than as a blow. The punishment called *discommunion*, was therefore preferred to any of these. It consisted in prohibiting scholars from holding any intercourse whatever with certain citizens, who obstinately set at nought the academic privileges. This wounded the citizen in his most sensitive part, in his pecuniary interests; if the scholastic body were pretty unanimous, and obedient. But the intestine division of the two *nations* was itself generally enough to ensure to the citizens a party among the students which favored them. The Northernmen, especially after their overthrow, became a formidable minority disaffected to the University. Beside which, there were many cases in which the offending townsman was too independent or too angry to tremble before such a rod.

Thus the Chancellor's weapons were either too dreadful or too feeble. Indeed if they were ill adapted for protecting the persons of the students, still less efficient were they in defending them from pecuniary extortion,—in enforcing regulations for health and cleanliness, for the market, and for the (so called) public morality. These things properly and naturally belonged to the town, and so it was

expressed in royal charters. Most inconsiderate is the assertion of Wood and others, that all these rights, originally and from the earliest times, belonged to the University and not to the Town. The truth is, that in the northern suburb, the rights of lord of the manor belonged to the D'Amory family, who in 1357 transferred them, by contract, and with the royal sanction, to the University; the same rights over the rest of the Town having already been ceded.* The superintendence of the Market and the Police formed a part of the manorial authority. In the times of which we speak, the mixed boards of Commissioners could effect nothing against the adulteration of articles; and the direct conflict of interests between the two corporations made co-operation impracticable.

Yet the health of the scholars was dependent on a good supply of wholesome food, and on decent habitable dwellings, to say nothing of removing pestilential accumulations from the streets. Many fruitless efforts were made by the University against the dealers, to establish for itself a free trade and open market, by which it might get the cheapest supply of wholesome food. But the fiercest conflicts rose out of discontent with the wine shops and other houses of a worse description; and in fact, the introduction of *wine* in place

* In a petition of the Cambridge Chancellor in 1330 (Rolls of Parl. ii. 48) among other requests we find one, "that the price of wine in Cambridge be not higher than in London." The answer is, "Let them have it as in Oxford."

of *beer*, by the Continental students, may have had no small influence on the course of events. We have even documentary evidence of the great riots rising out of the wine shops. When wine was good and cheap, men got drunk oftener and quarrels followed: when it was bad and dear, their anger was directed at the landlord's head. In any case, the road from wine to women was but short; and these base matters, which might seem unworthy of being recorded, become important by the large space they fill in the deliberations and charges of Kings, Legates and Bishops. The King's message to the Mayor and Bailiffs in 1234, shows distinctly that the Police force, whose business it was to restrain these evils, was in the hands of the Town at that time. But neither all the urgent addresses of the royal and of the ecclesiastical authority, nor the oath of office taken by the townsmen, availed to bring a real remedy to the grievances complained of.

It became at length clear, that a direct control on the part of the Chancellor was essential; and that nothing would succeed, to obviate fraud, short of direct trial whether the quality of provisions was good and the weights employed fair. An academic police was gradually formed, which, at his order, exercised the summary process of confiscating and carrying off out of the market all spoiled or bad articles; and removing obstructions from the streets. Riotous as this probably was in its origin, it became legitimate by the appointment

of Masters or Supervisors of the streets, Clerks of the market, &c.: and a usurpation so natural and necessary, was, before long, confirmed as a privilege. The town authorities had over-reached themselves by a languid performance of their duties, and thus at length, about the beginning of the fourteenth century, they were doomed to forfeit some of their principal functions. The perpetual collision and resistance which continued, caused such fluctuations, that we cannot attempt to define the limits of the authority possessed by either party. It is however probable, that down to the middle of that century, the town retained the rights connected with the lordship of the manor, although practically controlled in their exercise, more or less, by the pretensions of the University.*

§ 69. *The feud is exasperated by the absorption of the Chancellor into the Academic body, as its Officer and Head.*

We have seen how great power each Corporation had, to pester the other, and how little power the University had to compel the town to be honest, clean, zealous and considerate;—and that mutual complaints and mutual exasperation continued without avail. Their opposition was brought out into a yet more sharply defined state, by the progress of internal changes within each body.

* See Note (29) at the end.

The change within the University, consisted in the Chancellor's ceasing to be an episcopal officer, and being elected by the academicians from among themselves. This arose out of causes which must be here concisely touched.

In consequence of the share which the Universities took in the civil wars of Henry III., they became objects of far greater attention to the Kings of England. They were called upon to assist in the Councils, concerning doctrinal questions of importance to Church and State. Efforts were made to win-over their judgment, and to use them as an organ of public opinion, not only for England, but for the whole of Western Christendom. We have an instance of this in the reign of Edward II., and Matthew of Paris mentions a similar one in 1253. The increasing importance of the Universities made their dependence on their *Ordinary* appear to be preposterous; nor could a distant Bishop bring any help to the local difficulties of the Chancellor. His position was obviously untenable; being neither *in* nor *of* the University; but above it, below it, without it. He urgently needed the moral and physical support of the University itself, given at the instant it was asked; but to reckon on these, he must be elected by and out of the University, as its organic Head. The Ordinary for a while struggled to retain at least the right of *confirming* the election, when his assent was become a mere formality; but that too

vanished in the course of the fourteenth century. For a while it was questioned whether the Chancellor, now loosed from the Bishop, could retain the prerogatives which had flowed to him from the episcopal power; but at last, from a feeling that they were needful to his office, it was decided in the affirmative.

The Chancellor thus elected, had a far better defined and firmer position than before; even if only a majority were favorable to him personally. But to the Town, his office became more obnoxious than ever; inasmuch as he now made the University judge in its own cause; nor can we doubt that many a Chancellor owed his seat to the notorious fact or understood promise, that he would prove a zealous champion of the academic rights in pending controversies; in other words, he was elected on condition of being a zealous enemy of the Town. The mutual exasperation became thus more intense than ever. Languid co-operation or active overreaching on the part of the Town, demanded a more and more stringent exercise of the Chancellor's authority: the Pope and King were called upon yet oftener: more and ampler privileges were granted to the University. For when it came to be a question which of the two Corporations must be sacrificed, the increasing importance of the academic body ensured a decision in its favor; although, according to the ideas of the times, it involved the overthrow of civic freedom.

§ 70. *The increase of wealth, importance and spirit, in the Town Corporation, leads to bursts of violence.*

But meanwhile, the towns also were becoming of greater national importance. A Mayor, a Bailiff or an Alderman, on his return from a Parliament in London or in York; a citizen or a town officer, just come back from a campaign in Scotland or in France, rich in the spoils of victory; would be less willing than his father had been, to submit to what appeared scholastic usurpation. Such men had the opportunity also of comparing the freedom of other towns with the vassalage of their own; and, we need not doubt, found a stimulus in every social meeting to a more vehement struggle for their natural liberties. Honorable patriotism and petty jealousy alike dictated the same course; and the insults they were liable to receive from youthful levity, must often have left wounds more deep than are inflicted by open hostility. Many a coarse practical joke would be played by scholars on the shopkeeper or artisan, who was importunate as a dun; nor perhaps would the good man's wife or daughter be spared. But when the heedless youths had long left the University, and had forgotten their own conduct; it remained rankling in the citizen's bosom, and was handed down as an inheritance of hatred from father to son. Thus, in a Royal Mandate* of 1352, the "grievous dissentions and

* Ayliffe.

quarrels" of the parties are ascribed to *old rancor and insolence, stimulated by the wantonness of youth.* The sulky obstinacy or bitter spite produced in those who are liable to the haughty contempt of a higher caste, is the same all the world over. But it may also be believed, that between the thirteenth and fourteenth centuries the towns felt such contempt with peculiar keenness: for it is probable that many an ambitious and turbulent citizen, when he looked on the vigorous self-elevation of the towns of the Netherlands, Lombardy and the Hanse, dreamed that a republican age was dawning on Europe.

The unmeasurable rage of the explosions which took place, frustrated all hope of permanent advantage from them to the Town. The University, bleeding, as it were, with rough usage, attracted sympathy from public opinion and from the highest authorities. The daily galling provocation she had given, was unknown and forgotten; the cruel retaliation exhibited her as an injured sufferer. Moreover the Townsmen often called in as natural allies, the savage heroes of the country round;—men anxious for fight, for drink and for plunder; an aid dangerous to the more quiet citizens, and yet impossible to be rejected when it came. Hence too arose factions among the townspeople. There were demagogues of the Town-Hall, whose whole life was given to the single object of resisting the University: and about them would cluster every

element of discontent and turbulence. Such men were offensive to sober and discreet citizens, who lamented the disturbance of traffic, which necessarily resulted, and the far worse results to be feared from the law and from the lawless. Every power finds adherents, more or less sincere in their praise, even among those on whom it presses; and such must the University have found among the citizens. Nor can we doubt that the intrigues were made more complicated by the relations of the parties as buyers and sellers.

§ 71. *Contest against Robert de Wells.*

The events of 1296* deserve especial mention.† In vain efforts to pacify the warring parties, the King, his Councillors, and the Peers of the Realm had been called in. The great opponent of the University was a baker named Robert de Wells, who was a personification of the deeply rooted hatred of the citizens to the University. We have no means of learning whether it was farther inflamed by personal motives in his case; but anyhow he possessed much boldness, activity and cunning, and in another place might have left a reputation in history, like Arteveldt of Ghent. He did not shrink from appearing before King and Parliament, as champion of his native town, of

* [Qu. 1297? See below.] † See Note (30) at the end.

which he was soon chosen Bailiff. In 1283, having been excommunicated by the Chancellor, he protested against it so powerfully before the Parliament, that the Chancellor was obliged to give way. In 1288, academic influence ejected him from his post: upon which the University was indiscreet enough to enact in solemn Congregation, that should he ever be readmitted to office, all the studies should be suspended as long as he held authority in the Town. So oppressive an interference with the Town-elections, exceedingly strengthened him in the good will of the citizens, and held him up as a martyr for the liberties of the Town.

Excitement and bitterness increased. The University solemnly implored the King, to prevent the bakers and brewers from using fetid water, and the vintners from diluting their wine. For some years, a diversion was brought about by contests of the University with the Bishop of Lincoln and his Archdeacon, and by quarrels of the *nations*. But in February 1297 an affair took place, possibly arranged by Wells and his party; but in fact it is so variously told, that we know not where to lay the blame. A scuffle arose between the rabble-dependents of the two *nations*, in which both citizens and scholars joined: while the authorities on each side, instead of restoring peace, attacked one another. It grew into a battle, in which many thousands on both sides took part.

The armorers' magazines were plundered; and other shops of citizens. On the second day of the fight, a host of countrymen who had been called in overpowered the scholars; yet not till the third day, when the victorious party was itself worn out, was quiet restored by the King's special commissioners. Many of the combatants had been wounded, and not a few killed. Scholastic houses had been devastated, and churches desecrated by corpses and by blood. Nevertheless, the result was a practical triumph to the University, by help of Episcopal fulminations and Royal decrees. Robert de Wells and other of the most violent citizens were expelled from the town, or forbidden all intercourse with the University.

This account is remarkable, as a specimen how the whole struggle was carried on, and how the University wielded the weapons which lay within her grasp. I may be allowed to insert here the preamble of the above mentioned decree of the University (according to Wood); since it contains a reference to the personal character of Wells:— "Inasmuch as it may come to pass that the said Robert may obtain by fair or foul means the favor of being restored to hold the said post of Bailiff or some other in the town or suburb; the University itself, having the very strongest presumptions against the aforesaid Robert, being aware of his craft and premeditated malice from his ancient intrigues; and fearing, therefore, more for the

future;—by common consent of the Masters, decrees &c., &c. . . ."

The final pacification was brought about by a formal *treaty*, which together with the privileges of 1248, for a long time formed the chief basis for fairer dealings between the two Corporations. But the townspeople were naturally more discontented than ever, and the repeated complaints of the University prove that malice or fraud still found many ways of gratifying themselves. The problem was not yet solved. The Town-police would not co-operate cordially, and the University had as yet no power to compel it. A new crisis was needed, which should transfer the control of the city-force entirely from the Town to the Gown.

§ 72. *Tumults during the transition from the old University System.*

About the middle of the fourteenth century the process was already begun, by which the University passed into its more modern state. Colleges were rising; and the scholars in them, kept under stricter restraint, lost in pugnacity what they gained in respectability. The total number of the academic body had greatly sunk; the spirit of the *nations* was nearly gone. Party feud between them was probably but feigned as a cover for evil deeds; while individual crimes were more rife than ever

among the free students, who were no longer even under that measure of restraint which the organization of the nations had imposed on them. Vagabonds of every kind flocked to the University as a fair field for their exertions. Under these circumstances, the Academic Authorities, however unwillingly, resorted to the Town-Authorities for help: who never failed to seize such opportunities of exercising their power at the expense of the gownsmen. Some of the worst excesses, as the burning of the rich Abbey of Abingdon in 1327, were committed by bands of scholars and town-marauders combined. It may be guessed, that the gownsmen were of the Northern clan; but however this might be, such tumults could not but bring odium on the whole University. About this time moreover, a yet more formidable enemy of its privileges than Robert de Wells, was found in an opulent and respectable citizen, named John Bereford; who had been often elected Bailiff, and who now headed the reaction which in the year 1355 led to a fearful crisis.

§ 73. *Contest against John Bereford, with frightful Riot, in* 1355.

The causes of this outbreak may be traced back to the year 1349, in which a dreadful plague ravaged all England. It carried off or dispersed

all the Oxford scholars, so that the studies were intermitted for three years; after which not one third of the former number reassembled. Meanwhile many buildings, before let-out to the academicians, were applied by the citizens to other purposes: the police was exercised by the Town Authorities, undisturbed by University claims; which, upon their renewal, must have appeared doubly oppressive. In fact, the Chancellor had no physical power to enforce them. If the townspeople closed the market gates upon him, he was unable to force his way in, to inspect the bread and beer. If a citizen chose to sell or let to others a Hall which the academicians had previously tenanted, it was in vain for them to plead treaties and privileges, when the door was shut in their face. Bereford and his party were also strengthened unintentionally by that excellent king, Edward III., the great patron of the Universities. In the widespread crime consequent on the plague, the Academic Authority was not vigorous enough: the King, perhaps for this reason, at Bereford's representation, issued ordinances for the arrest of criminals by the Mayor and Sheriff; a proceeding which, however needful, broke through the University privileges, and gave dangerous weapons into the hands of its enemies.

So intense was the bitterness of feeling generated between the parties, that an explosion soon followed, for which Bereford, it seems, was well prepared.

A quarrel arose on St. Scholastica's day (February 10th) in the year 1355, between certain scholars and the host of a tavern which belonged to Bereford. The scholars thought the wine bad; and as the host only answered by ill words, they broke his flasks about his head. The tavern-keeper called for help. Speedily (as if all had been preconcerted) the Town alarm-bell was rung from St. Martin's Church: armed citizens assembled, and fell upon the scholars who were walking unarmed and unsuspecting in the streets. The Chancellor in vain, and at the hazard of his life, entreated the townsmen to keep the peace; at last he ordered the bell of St. Mary's to sound an alarm, and call the scholars to arms. They had taken to flight at the first surprise; but they now rallied, and offered so stout an opposition, as to keep their adversaries in check that night. In the morning, the Chancellor's efforts at pacification were again frustrated by the determined hostility of the Town; and it appeared that the scholars would be murdered, if they did not stand on their defence. Though so inferior in numbers, yet by great exertion they succeeded in seizing the gates, to prevent the entrance of the country people;—a measure of traditionary tactics. But towards evening, about two thousand armed countrymen burnt down the West Gate, and forced their way in, headed by a black banner,* with a

* Wood cites the following verses from a poet of the day:—
Urebat portas agrestis plebs populosa;
Post res distortas videas quæ sunt vitiosa,

wild cry of *Murder* and *Plunder*. The scholars, borne down by the torrent, fled into the open country, into the churches or into their private rooms. But the savage mob, that night or next day, stormed most of the Colleges and Halls, and hunted-out the inmates. Those who could not escape were killed, wounded, thrown into the sinks and sewers, or dragged to prison. All their property was destroyed or plundered; after which the mob began to carouse, and abundance of drink inflamed them to still madder deeds. Crucifixes and church ornaments were demolished; students shaven as monks were treated with peculiar cruelty: the scalp was actually torn off the head of some. No holy place was respected. In vain did the more popular of the clergy carry the host along the streets in solemn procession. Monks were seized or maltreated at the foot of the cross or chalice. In short, *forty* scholars or masters are recorded by name, as having been killed in this fray; but these, without a doubt, are but a fraction of those who suffered.

As soon as the storm began to subside, and the rabble to decamp with their booty, the more prudent citizens assembled to prevent further mischief. The Town-Authorities also met, with a few of the more eminent Academicians, who had sent to

> Vexillum geritur nigrum. "*Slea! Slea!*" recitatur;
> Credunt quod moritur Rex, vel quod sic humiliatur.
> Clamant. "*Havock! Havock!* non sit qui salvificetur!
> *Smite faste! give gode knockes!* nullus posthac dominetur."

demand assistance from the Bishop of Lincoln and from the King. The former issued an interdict against the Town; and the latter pursued measures, at first equally vigorous. Less energy however appears in their after-proceedings. Perhaps, upon examination, the King found the blame* to be more equally divided between the parties, than was supposed in the first moment of wrath against so brutal an abuse of victory. At any rate it was clear, that the scholars had begun the fray; and there must have been plentiful ground for crimination against them. That the Town-Authorities had misconducted themselves, does not appear; but the Sheriff of Oxford was displaced by the Royal Commissioners, which may seem to imply that the fault was in a different quarter.

There is also ground to believe, that the very intensity of this savage contest gave rise by reaction to feelings of a far more honorable and Christian nature. Terror, grief, repentance and a feeling of helplessness and misery, seem to have driven all the more baneful passions into the back-ground. Both parties were humbled at the common guilt, distressed by the common suffering; and such feelings were widely shared by the nation at large. The whole affair assumed a public importance, and no one was concerned so much to recriminate or retaliate for the past, as to reconcile and prevent for the future.

* The whole story is compiled from Wood.

§ 74. *Consequences of the Riot.*

We do not pretend to documentary evidence that we rightly read the hearts of the combatants; but the actual course of events can hardly be understood without assuming the above highly probable hypothesis. The University now resigned absolutely all her privileges into the hands of the King, as though her very existence were too dearly purchased by a liability to such outrages. The Town took the same course, without the least effort at self-justification: thus the King [Edward III.] had to rebuild the whole system anew as a law-giver, and not to sit upon the question as a judge.

The method which he pursued, was, to establish the University as a decidedly independent, as well as preponderating authority; vesting in the Chancellor control over the Town Police, and all the jurisdiction, civil or military, connected with it.* Every point before contested, was clearly given in favor of the University: and with these reservations, the Town also received back its privileges. Farther difficulty however arose concerning compensation to the plundered. The *books* destroyed were estimated at so very high a price, that the Town declared itself unable to replace them. Upon this, the sum of two hundred and fifty-six pounds was imposed as a nominal indemnification, and the

* See Note (31) at the end.

University joined with other persons of consequence in interceding with the King for the immediate liberation of Bereford and others, who had been put into confinement. Bereford himself lived long after, as a sincere friend and benefactor to the University.

The question remained; what was to be done with the country people, who had been the chief criminals. — They were passed by unnoticed; probably on prudential grounds: as we know how violent was the stir among them in the reign of Richard II., how deep-rooted a hatred against the clergy they had already displayed, and the danger of exasperating them at so critical* a moment of the French war. The Church followed up the King's merciful and prudent policy, and having first mitigated, shortly removed the interdict on the Town. As an expiation, the Town bound itself to institute masses for the souls of the dead, and to feed poor scholars on St. Scholastica's day for ever. Now also, it appears, was instituted the office of *Steward* or *Seneschal* of the University, who was chosen generally from the most distinguished of the neighbouring nobility, as conservator of the academic privileges. At least there is no other time on which we can fix, at which it is probable that an officer of so high dignity and prerogative was created; although we

* The battle of Maupertuis was fought in July, 1356. The King's new charter to the University was dated 27th June, 1356.

have no express mention of him until the beginning of the fifteenth century.*

Thus terminated this tragical and important crisis. We have thought right to lay it before our readers in some detail, particularly because it contains so many characteristic points, vividly picturing to us the manners of the age. Beside which, it went far toward deciding a fluctuating and contested state of things, and separates the history of Oxford into two ages.

§ 75. *Parallel events in Cambridge.*

We have reason to believe that the course of things at Cambridge was not dissimilar, though every element was there developed in less power. In fact, she followed in the steps of Oxford, ever claiming by imitation, and claiming successfully, like privileges. Smaller conflicts there took place at this same time; but another generation passed, before the final crisis was brought about. This was towards the end of the century, when the great outbreak of the lower orders took place, against their lords in Church and State. In March 1381, a man named *Grancester* headed a mob of rioters in Cambridge, who killed several scholars and Masters, maltreated others, or dragged them to

* It must however be confessed that there are difficulties in the history of the powers extended to this office, which need to be cleared up.

prison. After they had committed much ravage after the pattern* of the Oxford tumult, though on a smaller scale, order was restored in a few days by very vigorous measures. The riotous state of the kingdom generally, urged the King to adopt these the more readily; and the result was, to carry the privileges of the University to the greatest possible extent.

§ 76. *Permanent Ascendancy of the Universities.*

Yet although we now enter on a new epoch of the University existence, it would be a great error to suppose the contests of the Gown and Town to be at an end. They continued to break out now and then, but chiefly when the whole fabric of the State or Church seemed to be tottering, in the various convulsions which followed. Indeed, *legal* doubts were afterwards stirred, as to the authority of the King to grant such privileges to the University. But the grand fact, that through the civil wars, in the Reformation, and in the counter Reformation, the academic privileges were never shaken, but were rather more and more consolidated, proves how firm a hold they had got, after the era of which we have been treating. Thus;

* When the rioters had burnt all the documents on which they could lay hands, it is related that an old woman tossed up the ashes into the air, crying: *So perish all the craft of the divines.*—An anecdote, which marks the popular feeling.

about the middle of the thirteenth century, the Chancellor obtained, in all essential matters, his fullest *juridical* authority, and in a century more, his fullest powers over the services of the *police* and *military*. All the privileges afterwards granted to him, however high-sounding, will be found to have been in practice either a mere confirmation, or a following out into some minor detail, of what was already in substance enjoyed.

In those ages, the question was not so much, What could the King grant? for in fact, what could he *not* grant,—upon parchment? but, What privileges could the grantees succeed in enforcing? Now from the middle of the fourteenth century, Oxford did succeed in enforcing her privileges; and herein consists the contrast of the latter epoch. We need hardly doubt why the new state of things was acquiesced in. The moral effect of the fatal affray may have lasted for a generation, and have allowed the sway of the University to become *customary;* after which, it probably was not felt to be oppressive, but rather beneficial to both parties; since it seems to have been really suited to the exigency of the case. And if occasional unfairness was felt, sensible men may well have perceived that it was unavoidable, and by far the less of two evils.

§. 77. *Tranquillization of the Academic Population under a stable Oligarchy.*

At the same time, the academic population was constantly becoming more tranquil, by decrease of numbers and by severer discipline: so that far less wanton exasperation was inflicted on the townsmen. The University fell under the rule of a sedate oligarchy, instead of a riotous democracy. Becoming possessed of landed estates and buildings of its own, numberless sources of contention with the Town were removed. The external dignity of wealth which gradually followed, elevated the gownsmen more and more over the Town, and made it seem only natural to pay them respect: for wealth every where claims such subordination, and nowhere receives it so surely as in England. In the Towns themselves similar changes occurred: for while the number of citizens decreased with that of the academicians, oligarchal and exclusive influences also prevailed in the corporation; and in this state of things* it was far easier for the two bodies to come to an understanding: nor indeed did the University press the letter of its privileges against the Town, either as to the *Police* or as to the *Market*. The Chancellor even yielded the *Night Watch* into the hands of the Mayor; though (we

* Proof of this in detail will be in vain sought for in documents. Ingram, the latest Oxford Historian, to a certain extent supports the view I have given.

need not doubt) with a reservation of the power of the University to resume its rights. Thus, in one word, was formed the present state of things, which is held to work at least moderately well in the opinion of those most concerned.

CHAPTER VI.

GENERAL REMARKS ON THE ENGLISH UNIVERSITIES FROM THE MIDDLE OF THE FOURTEENTH CENTURY TO THE REFORMATION.

§ 78. *Torpor of the Universities while vegetating towards wealth.*

AFTER the stormy period of University-life which we have described, the waves became hushed, stagnation followed, and a long ebb took place in the intellectual progress: nor did the tide of knowledge rise again, until the influx of re-opened classical literature. Yet in this interval of mental inactivity, a corporeal vegetation was going on, of immense significance to the after-condition of the academic body. The Universities were all this time quietly accumulating landed property, and the *Colleges* were assuming the prominence which they have ever since maintained. On this has depended the peculiar character of the English Universities; and this it is which so strikingly contrasts their new

state with the old. The change by which the new developement was wrought out, proceeded very slowly, as is to be expected of every natural organism; and the era of the Reformation was almost reached, before the revolution was complete. Of the thirty-six Colleges of the two Universities, six only date their origin later than the Reformation. Of the thirty older ones, four were already founded before the end of the thirteenth century, and eight in the first half of the fourteenth. In strictness then, these might be alleged as belonging to the earlier epoch. But this would be giving undue weight to a dry chronology; for the fact is, that their extension, their wealth and their influence, were not obtained till *after* the middle of the fourteenth. When their physical developement was greatly advanced, then new intellectual existence came forward in its own peculiar form. The revived study of the Classics, was the grand legacy of Roman Catholic to Protestant England; a noble gift, which, though an extorted one, it is high time for the latter to acknowledge.

During this period of transition, the life of the University was torpid. The speculative philosophy had lost its interest; the number of scholars was diminished, and the teachers had no stimulus, until classical studies reanimated them. The relation also between the Colleges and the University was as yet but ill-defined. On these subjects I must now collect whatever is to be said.

§ 79. *Ambitious efforts, in government and philosophy, by which the Middle Age exhausted itself.*

The grand struggle of the Middle Ages (and under which they sank exhausted,) had been, to unite the Spiritual and the Temporal power. The attempt was first prompted by theory,—by a speculative or mystical longing of mind for the sublimest unity: but such an end was too exalted to be reached by mortal efforts. Believing, as we may and do, that no mere vulgar ambition stimulated many in this dream of perfection, it is certain that nothing came of it but hatred and destruction. The two conflicting powers fell back torn and exhausted, and universal debility prevailed for no small time, while a new age was preparing.

Not dissimilar was the case with learning. In the Middle Ages with bold simplicity it had sought to take Heaven and Earth by storm; and had fallen blasted and decaying, before half of the fourteenth century was complete. At the beginning of the fifteenth, a few forms stood forth, as Gerson and his friends,—Nominalist-Mystics,—as relics of the old heroic ages: but the spirit of the former days was departed. Skill indeed and knowledge were manifested by some, in applying the old machinery to new purposes, and a vain effort to reform the Church by such a method, hastened the decline. Repetition of dead forms, mechanical

exercise of Logic and Speculation, now formed the highest intellectual occupation of the old stamp; and the new learning, when it came in, refused to blend with it. At first, classical knowledge, (the most important feature of which consisted in the study of Ancient History,) was confined to a very limited circle of persons: and it had no power to attract the mass of the nation toward the Universities, the less indeed, since so many other fields were opening for the exercise of men's energies.

§ 80. *On the Wykliffite struggle, and the results of quelling it.*

It is indeed remarkable, that toward the end of the fourteenth century Wykliffe and his followers had almost gained the upper hand at Oxford: and the only knowledge which his school valued, was of the *positive* kind. At a later period, even the study of Greek exposed a man to the suspicion of Wykliffite heresy. Nor is this wonderful: for the classical studies of Oxford in those ages were pursued in a totally different spirit from those of Italy. It was not for the admiration of beauty and indulgence of taste, but for a cultivation of solid knowledge and judgment, that the embryo-puritan of Oxford read the works of antiquity, unknowingly preparing materials for the great reformationary movements which were to follow.

One might have expected that this great battle should be fought out at the Universities, and that the emergency would have called out the most brilliant talents on both sides. It might have been so, had not the higher powers from without, both temporal and spiritual, on each successive crisis crushed the adverse party in the Universities; thus entailing intellectual imbecility on the other side likewise, when a battle essentially intellectual and spiritual was never allowed to be fairly fought out. This has ever been the effect every where, but especially at the English Universities; and it explains the extreme languor and torpor which prevailed in them at that time.

The victorious Catholic party might indeed have found room for excellent exercise of the intellectual faculties upon the materials of the new knowledge, within the limits of their orthodoxy; but it had become a suspected field of inquiry, in which they were neither willing nor able to walk. Almost a century passed after the suppression of the Wykliffite outburst, before classical studies were adopted in England: and during this whole period, the Universities took no such prominent part in the great ecclesiastical questions, as might have been expected from their ancient reputation. In the thirteenth and fourteenth century, the University of Oxford had reared and sent forth sons, who attracted European regard: but in the great Councils of the Church of the fifteenth century, she was no where

JOHN WYCLIFF, D.D.

at Oxford, A.D. 1372.

Founder of the Protestant Reformation

in England.

Day & Haghe, Lith.rs to the Queen.

to be found. The powerful, well-judged and urgent appeals made to her by her sister of Paris, met with a tardy, lame and uncertain co-operation. I may here quote the opinion of an Oxford contemporary, brought forward by Wood himself; (who in his innocence is led astray by certain flowers of rhetoric, to believe great things of his beloved Oxford:)—"The University of Paris," it says, "for three years past has labored to find a remedy for this poisonous disease of schism; but in her labors she has *borne all alone* the burden and heat of the day. Well might she complain of her sister, (our Mother,) to the King of England, saying: 'Speak unto my sister, that she labor with me,' &c., &c. Let it not be said to our shame and reproach, how long will ye hold your peace!" Though, in the schism of the Antipopes, the English Universities acknowledged a different Pope from the Gallican Universities, this need not have hindered Oxford from proving herself worthy of her past renown. Much rather; the long wars with France had broken her connection with Paris, and had tended to isolate the English schools, so that they entered little into European life: and this doubtless helped to degrade them as seats of learning. Yet, the isolation was not complete; and probably this cause was less powerfully injurious, than the crushing of the rising intellect of the age, in the party of Wykliffe. The real inferiority of the University of Oxford after that event is so plain, that no impartial person

will allow himself to be deceived by panegyrics,* in bad taste and exaggeration, passed upon her by her fondly admiring sons.

§ 81. *Decay of the University Studies.*

In name, no doubt, the course of studies remained as before, but the spirit was fled, and dead forms alone were left. Indeed the practical faculties of Jurisprudence and Medicine had attained a far higher comparative rank, when Speculation first began to decay; but afterwards, Theology or Canon Law displaced these, and began to be looked on as the only practical studies. The studies in Arts became a mere *opus operatum*; a mechanical process to satisfy a traditionary rule. This lamentable decay rose out of causes which can be traced. Medicine was at one time thrust out by Natural History and Natural Philosophy; namely, when it tried to be scientific; next, it was degraded into a coarse empiricism, when it tried to be practical. It stood also in danger of ecclesiastical prohibitions; and altogether found its account in withdrawing from the Universities to cities, courts, and the circles of the great. There also it had access to large hospitals, and exemptions from academic formality.—Nor was there

* See Note (32) at the end, for illustrations of this point from Wood.

any adequate inducement to the study of Civil (or Roman) Law; when the national jurisprudence so vehemently rejected it. The common lawyer had of course no local attraction to the Universities: his proper seat was in the neighbourhood of the great courts of justice, to whose precedences and sentences he looked. Naturally then, the "Inns of Court," so called, formed themselves in London. The department of Civil Law which was of national importance, was but limited; and the number of individuals who studied it were too few to constitute a school. It became but an appendage of the Canon (or Ecclesiastical) Law; insomuch that the Kings,* in order to have Counsellors, had to obtain of the Pope permission for certain Ecclesiastics to study it: for, by the ordinances of the Church, it was (for good reasons) in general unlawful to them. Such applications would have been needless, if laymen could have been found who studied the Civil Law.

We have already remarked that the Canon Law, as a main branch of Theology, (and indeed the distinguishing ornament of the Theologian,) was greatly in honor at the Universities: for in all *other* theological studies, laymen participated. But after the suppression of the Lollard-movement, Canon Law more and more lost scientific interest, and became a mere scholastic ritual. The Church was increasingly worldly in spirit; and actual Theology

* See Rymer (1321).

became of minor importance: nor indeed was a Catholic Theology produced, until it came by a reaction against the Reformation. Thus, as the decidedly predominating character of this epoch, a meagre miserable formal dead system was the intellectual food administered at the Universities.

An idea of the sort of instruction necessary for obtaining a degree in philosophy in the fifteenth century, may be gathered from the following "Questions," which were proposed to candidates in the time of Henry V.:—

"Whether the cardinal virtues of Prudence, comparing future contingencies with present facts, regulates the acting of intellect, whereto rational desire is made harmonious? Whether a free rational energy, empress of impulses, lofty governess of morals, is crowned with the laurelled dignity of deliberate choice, as despotic mistress?"*

§ 82. *The Growth of the Native English Intellect.*

Dull and scanty intellectual attainments could not attract to the Universities the mind of a nation which was opening to widely different and more

* Utrum futura contingentia
Comparans ad præsentia
Prudentia cardinalis
Praxin regat intellectus,
Cui concors est effectus
Appetitus rationalis.

Utrum potentiarum imperatrix
Celsa morum gubernatrix,
Vis libera rationalis
Sit laureata dignitate
Electionis consiliatæ
Ut domina principalis.
(See Wood.)

worthy occupation. From the middle of the fourteenth century, and especially under Edward III., the cultivation of the native tongue went on, and the foundation of a national literature was laid, which soon drove out the French elements introduced at the Conquest. Let me point out but one eminent spirit, the poet Chaucer; a poet, to whom few of any time whatever come near, in manifold variety and versatility of talent and language; and more especially, in the mixture of frank simplicity with deep knowledge of the world. This is truly as a vein of silver in the cultivation of an individual or of a people. In other nations of Europe, on the Northern side of the Alps, a rude national literature sprung up, independently of, though simultaneously with, the scholastic philosophy: but they drooped and died together. Only in England do we see the cultivation of the national tongue rise in vigor, when the academic learning began to decay. The people seemed to rejoice that the life-blood of French letters was drying up, and the noblest spirits turned from the now mouldering Universities towards this new and youthful impulse. We may well believe that the Northern (or Saxon) element, when vanquished at the seats of learning by its Southern rival, put forth its strength in a new field, and fought for a nobler prize, the heart of the nation. The University became the more severed from public sympathy, the more the people awoke to the feeling that they were true-born Englishmen.

§ 83. *Rise of a National Spirit.*

Meanwhile also the Scottish wars had heightened the national consciousness of power, and yet more the wars under Edward III. and the Black Prince, and those under Henry IV. and Henry V.; heroes, who for a century together led the English armies to conquest. Native commercial companies likewise were formed, as early as the fourteenth century; and the Island-people, surely, though slowly, was assuming its natural possession,—the commerce of the world, and mastery by sea. Nor were the fearful convulsions of civil war which followed, so injurious, as might be supposed, to the national developement. Their chief effect was to ruin or extirpate the old nobility. whose blood flowed in torrents in the field of battle or on the scaffold, and whose estates were lost by confiscation or usury. In fact this proved rather advantageous to the ascendancy of the Saxon element.

§ 84. *The Universities dwindle into mere ecclesiastical schools.*

Henceforward, the laity cared little for the Universities, which thus became a mere clerical population. The diminution of numbers was so great, that (Wood informs us) out of two hundred schools

which had once been filled, only twenty were in use in the year 1450: and in an academic detail of grievances, dated 1438, we read: "Out of so many thousand students, which are reported to have been here at a former time, not one thousand now remains to us." In a certain sense, we may say that the Universities relapsed into their primitive condition, as mere schools for Ecclesiastics; and the consequences of this must be farther detailed.

§ 85. *Their doubtful position, half clerical, half lay.*

The Universities were never regarded as strictly ecclesiastical corporations. Amphibious indeed they were; for they were *taxed* with the clerical orders: but their orators appeared only on extraordinary occasions in the ecclesiastical councils, and then merely as representatives of the *learning* of the age. The Reformation made no change in this; as is clear from the fact, that their deputies sit in the House of Commons. But though they are thus non-clerical, their abandonment by the laity threw them back into dependence on the Church, and made their contact with it more frequent, and of greater importance. The ecclesiastical element became inordinately predominant within them, and of course stamped their whole being. Yet so far from thinking of replacing themselves under the guardianship of their *Ordinaries*, they sought to

free themselves from the Archbishop of Canterbury, from the Convocation and even from the Papal Legates; and to place themselves in direct contact with the Pope himself. Nor was the endeavour unreasonable, when so many and diverse ecclesiastical corporations took part in the academic studies — especially the Dominicans, Franciscans and Augustinians. The contests of the Universities with their *Ordinaries*, and their Archdeacons; with the Archbishops and with the Monastic orders, occupy no small place in their history at this period: but I must reserve an account of these matters for another place. On the whole however, the struggle wrought out a result altogether satisfactory to the Universities.

§ 86. *State of the University Finances.*

At this period the Universities were undoubtedly poor. As early as the end of the thirteenth century they attained some small property in land and houses, beside money, books and other valuables; chiefly by presents and legacies. This source of income kept increasing after the middle of the fourteenth century: but on the other hand, those revenues kept decreasing, which were drawn from students and from all other matriculated persons, as well as from those who in any way came into the Chancellor's Court.* It is impossible to give

* See Note (33) at the end.

details which would establish any satisfactory computation: nor is it easy to explain the items of extant documents on this subject. But it is certain that the Universities were supposed by their contemporaries to be poor in the fifteenth century, and, could we believe their own lamentations, it was a poverty truly pitiable. Testimony, however of greater weight is here accessible to us, that of kings and bishops.*

Indeed as late as the year 1430, the University begged of the Convocation some aid, "were it ever so small," towards the expences of its Orators who went to the Council of Basel.

§ 87. *On the Endowment of Professorships.*

In such a state of things, even the matters of nearest interest,—the endowment of Professorships and the erecting of academic buildings, was but negligently carried on. The former object had become peculiarly needful, since it was now hard for teachers to gain a decent and independent living, under so great a decrease of students. Indeed it cannot be proved that there was ever an actually endowed Professorship, until about 1430; although a century and a half earlier, occasional bounties† were offered, to fix teachers in the University. In the year 1311, Clement VII. called upon Oxford

* See Note (34) at the end. † Wood (1275).

and other celebrated seats of learning, to establish Professors' Chairs for* the Oriental Languages; but without effect. That indefatigable benefactor of the University, Humphrey duke of Gloucester, founded a Chair for Arts and Philosophy; but from some insolidity in the arrangements, it soon disappeared. At the end of the fifteenth century the countess Margaret of Richmond established at both Universities the well known Margaret-Professorships; to which succeeded the grander institutions of Henry VIII. But even these have never attained the same importance as the Professorships of foreign Universities. It would seem, the English system had already assumed a form, which condemned the University-Professor to be but a very subordinate character, as will be afterwards more fully explained. It moreover is to be noticed that the Professorships were set on foot, not by the University, but by its friends from without.

§ 88. *University Libraries.*

As regards the materials of erudition, we must not look for museums or antiquarian collections in those days: but *books* came naturally within their reach. The first attempt to found a University Library, was in the middle of the fourteenth century. Two considerable legacies of

* Wood (1320).

ASIATI

F. Ross, Lith.

LADY MARGARET.

Countess of Richmond and Derby.

Mother of King Henry VII.

DIED A.D. 1508.

C. Grey, Lith. to Her Majesty

books had been received, called after the names of the donors, Angerville and Cobham. Arrangements for a library room and for a Chaplain-Librarian were made by the same bequests. But after the University had suffered much from actions at law, entailed by this affair, and from other untoward events, the remnant of the library was added to the collection presented by "the good duke Humphrey," about the middle of the fifteenth century. This old library however, was destroyed or dispersed by the Reformation, though it contained five hundred volumes, and, relatively to the wants of the time, was of considerable value and price. The history of the Cambridge libraries is perfectly similar.

§ 89 *University Public Buildings.*

With academic buildings for public purposes the scholars were miserably provided until the end of the fifteenth century. St. Mary's Church and its dependencies was made to suffice. There the Congregations and Convocations, there the Assemblies and Councils, the public Scholastic Exercises, (which included Sermons,) were held: there too the archives, the books, the monies of the University were preserved. Only the most important documents, for greater security, were kept in some friendly neighbouring monastery.*

* Wood (1248) and (1308).

We may form some conception of the shifts which were previously employed, when we hear that even in the fifteenth century, the Masters would assemble their classes in the porches of houses. The Conventual Schools alone had some good Lecture-Rooms. The University did not interfere between Master and scholars, as to the place of teaching; being satisfied to defend them in questions of rent and taxation. By the Theological Faculty as early as in the thirteenth century an arrangement was made with the Augustinian monks, for the use of their Room: and in the fifteenth the Abbey of Osney erected ten large rooms* for Schools in Arts, and let them out to the University. The predominance of the ecclesiastical element was testified remarkably, by the erection of a Theological School nearly at the same time, for which the University begged assistance in all quarters. It occupied many years in building, and was opened in 1480; and to this day stands as a splendid memorial of the architecture in the reign of Edward IV. This was the only University building of importance erected before the Reformation, and the expences (as we have seen) were not defrayed from the ordinary sources of emolument.

* In general many of these remained empty; either because the rent could not be afforded, or because the demand was so easily satisfied at that time, from the thin attendance of scholars. The rent of each school was thirteen shillings and fourpence. —Wood, ii. 22.

EXERCISE AT OXFORD FOR THE DEGREE OF BACHELOR OF DIVINITY, APRIL 1842.

§ 90. *Drawbacks on their Financial Prosperity.*

It would appear that legal proceedings, and negociations at the King's Court or at Rome generally absorbed a main part of the yearly revenues. The communication of the University with Rome had become much more frequent and direct, (as we have already noticed:) and the great expence* of this was a drawback on the advantage gained by emancipation from inferior ecclesiastical authorities. At the same time, other causes prohibited the finances from flourishing. The habits of the age were not yet such as to allow of an orderly and simple management of accounts naturally complicated. They had too many financial officers, and these were too often changed. Every legacy had its separate chest† and separate trustees: so that costs were much increased and other mismanagement inevitable. Measures of precaution and reciprocal control made the complexity worse; to say nothing of the contests, both between individuals and Orders, for the management of funds. Under such circumstances, what is natural to mortal man, we must infer, happened here also; and without alleging malversation, or pretending to documentary evidence, one may believe that party spirit and

* See Note (34) at the end: also Note (35).

† Fuller on the Cambr. Visitation of 1401.—See also Wood (1293, 1317, 1336).

personal interest did its part in wasting or misdirecting the scanty funds. It is certain that at the Reformation the academic treasury was found empty; but the former managers might plausibly assert, that they had spent the money, as was right, in defending the privileges of the University: and who could refute the assertion?

§ 91. *General poverty of the Academicians.*

The ordinary poverty of the Universities and their members may seem to be attested by their begging *alms* on every extraordinary occasion; a word which I would not use contemptuously, but I know no other word which so well expresses the actual proceeding. The ecclesiastical stamp which the Universities had received, resulted in this; that the pupils were nearly all of the poorer sort,—the remuneration of the common clergy being scanty enough,—so that in fact few of the academic population could support themselves. Even respectable families who sent a younger son into the Church, did so to avoid dividing the family estate; and after sending him to the University, grudgingly contributed any thing to his maintenance, thinking that he ought to be provided for by the University, which was justly looked-on as a part of the Church. Thus Scholars and Teachers were alike straitened. Numerous benefactions were dependent on the

lives and fortunes of the donor, or were liable to be wrecked in the storms of those times. In the civil wars of the Roses even real estates were with difficulty preserved, and all other possessions vanished like chaff before the wind. Under the first Tudors a partial calm was followed by attacks on Church property, forerunning the great revolution of the time; and the distress of the University reached its height. Many students had nothing left but to betake themselves to begging, after the example of *Alma Mater;* but this would not go far.

§ 92. *Benefactions from Prelates and other great men.*

The last gleam of light which the poor academicians had received, was in the reign of Henry VI., who, beside founding King's College, gave many benefactions and stipends to scholars. It was also the custom for Prelates and other great men to maintain a certain number of students at their own expence. Indeed, after the Bishops attached themselves to the Royal Court, they gradually diminished or withdrew their benefactions: most of them among the intrigues of party forgetting every thing but to look after their own interests and court the favor of the Sovereign. Yet it cannot be doubted that some of the Bishops and Prelates most creditably performed their duty to the Universities, by stipends, donations, and legacies; indeed we have

both express and indirect testimony to the fact. Every circumstance of those times thus tended to make the Universities more and more intimately dependent on the Church.

Ecclesiastical endowments were another more considerable livelihood for the academicians; and on the lowest step of this Church-ladder, we find the poor scholars and masters. Even these, after the necessary ordination, might hope to gain a slender subsistence by reading Mass. Those who obtained the higher prize of one or more benefices, must often have found difficulty in combining the vocations of a parish priest and of an academic teacher. But the same difficulties still exist, and are yet surmounted; nor could it have been harder then than now, to evade the laws of the Church or to obtain a dispensation.

§ 93. *Church-Livings, how far bestowed on Members of the University.*

Not only must the *number* of the students have depended greatly upon the number of benefices ultimately attainable in this channel; but the academic studies were become only means to the end of attaining some such living. The scholar was reared for the Church; and the Master existed for the Church, which finally determined his position. But as usual, more came to compete for the scanty

prizes, than could be rewarded: and the complaints which rise towards the end of the thirteenth century swell louder and louder at the end of the fourteenth, that the scholars raised for the Church are neglected in the bestowal of patronage.

The direct interference of Rome to fill up foreign benefices, had caused in England, as elsewhere, great bitterness: more peculiarly, because Italians or other non-resident and unknown persons were appointed to the revenues. Out of this abuse rose the celebrated and rigorous statute of *Præmunire*,* in the reign of Edward III.: and Protestant writers are unanimous in ascribing, eminently to this Papal practice, as well as to other parts of the Romish system, the decay of the Universities. But this is a very one-sided view, and quite untenable. The Parliamentary enactments of Edward III. were rigorously executed in England, and all complaints against that particular abuse soon ceased entirely. But it is not to be inferred that Church-patronage was any the better bestowed, when confined to native holders and native clergy; and it is certain that the Universities in particular gained nothing by the anti-Romish system. In fact after the end of the fourteenth century their complaints against the *Præmunire* are still more frequent and more violent than they had been against the Papal Provisions; insomuch that they occasionally

* [It declares a person *outlawed* by the very fact of corresponding with Rome, &c.]

extorted from the King* exceptions in their own favor. These were mere temporary alleviations: but at the time of the great assemblies of the Church, the grievance was urged so forcibly, that the King and Prelates, not choosing to open again the way for Rome, sought for another remedy. In the convocation of 1417, the patrons of livings were ordered to fill up their appointments in part from University-students, according to a fixed arrangement. In practice however, the Universities were the first to object to the working of the system; nor did the patrons adhere to the rule prescribed. The same orders were re-enacted by the Prelates in 1438,† but without effect; which is not strange, considering the political aspect of the times. The Universities gained no relief, and continued to reiterate their complaints.

Thus both the Romish and National system failed to cooperate aright with the academico-ecclesiastical institutions: and whichever system was at work, appeared by far the more oppressive of the two. The academicians of that day, forgetting the past and feeling the present, fell into panegyrics of the good old times, with the usual simplicity or self-deception of human nature. Catholic writers‡ have made a dishonest use of the facts for party

* In 1392 and 1401 the Parliament pleaded for exemption in behalf of the Universities.—(Rolls of Parl. iv. 81.)

† See Wilkins' Concilia, (iii. 381, 383, 399, 525).

‡ I allude particularly to Lingard, whom it is not easy to acquit of this reproach.

ends; representing the decayed state of the University in the latter period as a testimony in favour of the Romish system at a former. Yet more melancholy is it to find Protestants, who, shutting their eyes to the evils of the later system, imagine the Papal provisions to have been the grievance, and unblushingly persevere in this statement! Is it indeed so incredible, that the bestowal of lay and crown-patronage should have been guided less by religious and intellectual worth, than by personal and worldly motives? Those who know how such patronage is *now* exercised, and how it affects theological studies, might be expected to give a shrewd guess how matters stood *then*: and indeed it would be well for modern churches to learn from history the baneful effects of these secular influences.

§ 94. *Contrast of the then resident Academicians to those of an earlier and those of a later period.*

When there was such a check on the outflowing of the academic population, the internal stagnation was certain ultimately to diminish the influx of students; and we might well presume (what in fact we find expressly testified) that the scanty prospects of church promotion kept great numbers away. But though *plethora* in the academic body was thus obviated, active life was not thereby generated: but torpidity and decrepitude was the

result. The resident Masters who gained a scanty maintenance there, lingering on in vain hope of promotion elsewhere, formed a stable element of the academic population. The proportion which they bore to the shifting and variable element of the younger men, was much smaller at first than afterwards; for the number of those expectants kept increasing, while the stream of students was ever lessening. From mere numerical inferiority therefore, they must have had less influence than at a later time. In a moral point of view, their contrast to the ancient Teacher-Aristocracy is most striking. These attached themselves to the Universities from free will,—and generally from a love of learning,—in an atmosphere of vigorous intellectual activity. Their more modern representatives remained imprisoned and pining after a benefice, embittered by neglect and disappointment, humbled ofttimes by having to ask downright alms; while a general stagnation of intellectual life prevailed around them.*

* The following is from an academic detail of grievances, in 1438: "And thus in truth, fathers, in the raging of the wars and scarcity of food and money, our kingdom is impoverished; and as for the moderate reward due to virtue and study, few give any thing to the University. Our Halls and Lodgings are ruined; the doors of our schools and lecture rooms closed; while of the many thousand students which report says once existed here, not one thousand is left. This remnant is weary of life, and after most laborious study, has attained neither reward nor even honor. Some even work on to old age, men of the greatest wisdom, expecting in vain the fruits of their good works," &c., &c.

§ 95. *Fellowships gradually become tenable for an unlimited time.*

The earliest *Colleges* were by no means intended to afford their members a permanent maintenance, but to assist clerical students through their course of study, which might last from ten to fifteen years. But when this time was completed, and no promotion opened to them, could they be turned out into the streets and consigned to want and misery? It was against nature to enforce such a thing. In the older Colleges the practice gradually established itself, (though it was looked on as a necessary evil,) that the *Fellows* retained their stipends until they obtained some benefice: and this became the understood or expressed rule in those of later foundation. As then, in the political tempests of the fifteenth century, nearly all other stipends disappeared, and the whole academic population diminished, the College-Fellows became gradually the actual stem of the University. The pecuniary support which they received, gave them a fixed hold on the spot, and as they generally became Masters, and in fact, applied themselves to the business of teaching, they naturally succeeded to the authority of the ancient Teacher-Aristocracy. The academic life was indeed but little quickened by this means, yet it was kept from dying out entirely. It may be hardly needful to add, that the relationship of

the Fellows to their College, quite preponderated over that which united them to the University or to their Pupils.

§ 96. *The Colleges are elevated into constituent and necessary parts of the University.*

The Colleges, it must be distinctly kept in mind, were primarily *convictoria* or boarding-houses; and as such, were in a certain sense representatives of the older institutions which bore the latter name. This circumstance aided them in assuming power over the independent students who derived no emolument from their funds.

The University was of itself retiring as it were into the background, in comparison with the Colleges, from the natural working of circumstances: but this was aided also by direct legislation. As in former ages, it had been a rule that every academician should reside in some boarding house; (a rule constantly violated, when the vast numbers could be hardly anyhow thus accommodated;) this was again called into life, and was interpreted to mean that independent students should subject themselves to the authority of the Colleges,* where they had to defray from their own means the

* Or else, of the few *Halls*, which were generally dependent on the Colleges. A *Hall* at Oxford means an unendowed convictorium or boarding-house, under a Principal. At Cambridge, the Halls and Colleges differ only in name.

expence of lodging, food, and tuition—a measure by which also the revenue of the establishment was helped. I have already alluded to the great excesses committed by many of the independent students,—even theft, robbery and murder,—when the organization of the *nations* was dissolved, and vagabonds technically called "Chamber-dekyns"* joined them, claiming the name and rights of gownsmen. It rose to such a dreadful height, that King, Church and Parliament were stirred up by the magnitude of the evil, nor is it wonderful that the University sought to check it, by forcing every student to place himself under the supervision of a College. This might be felt as a hardship by some, but the well disposed would acquiesce under it as the less of two evils.

§ 97. *Final establishment of a single Nationality within the Universities.*

It is worth stating that the Northernmen were the last to be absorbed into the Colleges. They were probably of themselves peculiarily averse to it, and they were also for some time purposely kept out by the opposite and uncongenial element, wherever it had sway. When however in the full developement of English nationality, the distinction of

* Chamber-dekyn; a corruption of *Camerâ degens*, living in his chamber, or lodgings; as opposed to those who lived in a College.

Northern and Southern was lost, the contrast of the Englishman to the Scotch, Welsh and Irish, became so much the stronger. From the last three nations chiefly came the raff and rabble of the academicians; and considering the times, it is not wonderful that the severest laws were enacted, bearing expressly on scholars of these nations. Being *in fact* hordes of hungry beggars, with absolutely no means of sustaining themselves, they were easily driven into violences of every kind. Poaching was their favorite mode of life, and this is but a step distant from worse crime. No wonder that the English antipathy to them was strongly called forth, and that the Colleges (founded by and for Englishmen) should determine to subjugate or expel them. The wars with Scotland and the repeated struggles of expiring Welsh independence, served to exasperate a contest, which of course ended in the complete victory of the English.

§ 98. *The Colleges gradually obtain University Supremacy.*

Meanwhile, the Colleges continued to multiply, and to increase in at least relative opulence; and in spite of opposition, and of some very violent disturbances, the system worked on and on; the University gradually dissolving itself into these parasitic institutions. The whole direction of

public affairs fell of its own accord to the Heads of Colleges, and the course of University-studies was practically determined by the College-tuition. All inducement for Theological and Canonical studies fell away, and of Arts there remained only a scanty and mechanical system. Even this too would have been lost, had not a seat and voice in academic affairs, and many advantages in the Colleges, been still connected with the Master's degree. To obtain this degree somehow or other, was generally the sole end of the barbarous exercises which had taken the place of study; until, about the end of the fifteenth century, the spirit of Classical Antiquity revived this *caput mortuum*.

§ 99. *The disputes of the Colleges against other Parties are confined to a war of words.*

After the beginning of that century, we hear little of the violent movements of the academicians, directed to the maintenance of their rights and privileges. Putting aside the mere rabble who aimed at riot or plunder,— the animal spirits of the students had been greatly tamed; and the only occasions on which they came to blows concerning any academical interests, are found in the collision of national antipathies in the Colleges. There was indeed no lack of disputes; but the peaceful and almost monkish position of the parties chiefly

concerned, led them to prefer decision by competent judges, before whom they pleaded with word or pen. This applies to the disputes between the University and the Town, to those with different orders of Monks, and those between the several Faculties; the influence of which in the developement of the academic system will be treated more at length hereafter.

§ 100. *Chaucer's Picture of a Scholar.*

The prevailing type of a true scholar at the end of the fourteenth century may be found in the living picture painted by the great poet of the age: — I only regret that we have not a similar one, from the middle of the thirteenth century.

A clerk ther was of Oxenford also,
That unto logik hadde long ygo.
As lene was his hors as is a rake,
And he was not right fat, I undertake;
But looked holwe* and thereto soberlye.
Ful thredbare was his overest courtepie.
For he had geten him yet no benefice,
Ne was not wordly† to have an office.
For, him was lever‡ have at his beddes hed
Twenty bookes clothed in blake or red
Of Aristotle and his philosophie,
Then robes riche or fidel or sautrie.§

* hollow. ‡ liever, liefer, *i. e.* more glad, or, more desirable.
† [In some editions, worldly.] § psaltery.

But allbe that he was a philosophre,
Yet hadde he but littel of gold in coffre;
But all that he might of his friends hente,*
On bookes and on learning he it spente;
And besily 'gan for the soul's praie
Of hem† that gave him wherewith to scholaie.‡
Of studie took he most care and hede.
Not a worde spake he more than was nede;
And that was said in forme and reverence,
And short and quicke and ful of high sentence.§
Souning‖ in moral vertue was his speche,
And gladly wolde he lerne and gladly teche.

That not all scholars were so worthy, is shown to us by Chaucer immediately afterwards, in the tale of the Miller and in that of the Reve.

§ 101. *Meagreness of the external history of the University during this period.*

The external history of the Universities in this era, is naturally meagre enough. The only matter of importance is the suppression of the Wickliffites and persecution of the Lollards; which must enter a history rather of the Church, than of the Universities. There are points in this which remain to be cleared up. It has been alledged by some, that a rejection of the Wickliffites was obtained by unfair

* take, seize. † them. ‡ to study.
§ sentiment. ‖ sounding.

means; but for this opinion I find no good authority. They seem to have been a strong minority, having an inward energy which might have raised them into a majority, but for the interference of the highest powers from without. Except in this controversy, the University at this period partook in the national movements in one sense only: viz. in the great danger or loss of their revenues by civil storms. But all public interest in them and their doings was lost, and they appeared as it were isolated from the national existence, in which the Northern element was more and more prevailing.

CHAPTER VII.

THE COLLEGES AND THE REVIVAL OF CLASSICAL STUDIES IN THE UNIVERSITIES.

§ 102. *Different treatment which this subject has received from most English Writers.*

It is proper to connect the two subjects as here announced. For it was to the renewed study of the Classics that the Colleges owed their elevation; and the grander foundations were in fact a result of the stimulus given by the same cause to the nobler spirits of the nation.

We must not be expected to treat of the Colleges in the same spirit as English writers have done. With them the University has appeared in a light so subordinate, that one might imagine it existed only in and by the Colleges. Hence, while they pass* most slightly over all the earlier developements

* Of course I do not here speak of Wood. But after all, he does but give *materials*, not a history.

of the University organization, they dwell on the details of the history of each College with a diffuseness which would occur to no one out of England. Great allowance must be made for the sort of pious attachment* to localities, to persons and families, (one symptom of conscious *comfortableness,*) which generally inspires the extraordinary mass of book-gossip to which the nation is prone. Yet a history compiled in the spirit of these Oxford writers would give us nothing but a dead and spiritless heap of facts, often leading us far astray from the true conception of the times described. Biographical notices of benefactors or of other College-worthies, must not be expected of *us;* nor details concerning the funds or the buildings of separate Colleges. Assuredly such topics *may be* treated worthily, if viewed from a higher elevation; but in a general account they cannot be made prominent.

§ 103. *Uncertainty as to the* FORM *of the earliest Colleges.*

The earliest Colleges date their origin as far back as the end of the thirteenth century; but the question, in what year they rose, is embarrassed by the uncertain meaning attached to the word *College.*

* It is disappearing so fast, that there is little danger of excess of it in future.

We suppose it to be a corporation which lives at a common table, assisted by revenues derived from land, having also academical studies for its object, and standing in connection with a literary University. To possess and dwell in a peculiar building naturally follows, yet does not appear to be indispensable. Being a corporation, it must have Statutes, or the right of enacting them; also the power of directing its own affairs and securing the right application of its funds. Whatever may be said to the contrary, to us it appears clear that the Colleges are *civil*, not *ecclesiastical*, corporations; although many of their members may have been ecclesiastics, and the bodies themselves may have acquired clerical immunities.

§ 104. *On the Halls.*

The *Halls* are distinguished from the Colleges, primarily, in their want of all material foundations. From the earliest times, as we have often said, Halls existed, over which an academic teacher generally presided, (a Regent-Master,) who sometimes as a sort of speculation set up at his own cost what we may shortly designate as a boarding-school of a higher kind.* A Hall under such a Principal could not have even the appearance of a corporation. But at other times several scholars

* See Note (36) at the end.

would agree to live together as a society, and having provided and furnished their own dwelling, proceeded to choose their own Director, who might or might not be their teacher. Of this fact we have express mention; but how far the University interfered, to restrict their choice of a Director, is unknown. Such a Hall, while it subsisted, had all the attributes of a corporation, and was recognized as such by the University. Express incorporation was probably thought of by no one; and it is not credible that the oldest Halls, which had been regarded as corporations for centuries past, could have produced records in proof of their claim to the title. But the want of permanent property has distinguished them from the Colleges. Some of them indeed gradually acquired such property, — whether by dispensation from the Statute of *mortmain*, or by evasion or violation of it,—and in this way gradually passed over into the position of Colleges. (This has happened with *all* the societies still called Halls at Cambridge.) But in such cases it is extremely difficult to fix the exact year in which the society first became a College: and to search in parchment only for the decision of a question which is one of inward growth and developement, is quite a mistaken and lifeless process. Indeed between the two states of Hall and College, there may have been something intermediate,—that of a stipendiary foundation — while as yet the management of the funds were in other hands: to illustrate which, it is

worth while to adduce some details* from the history of University College, Oxford.

§ 105. *Details concerning University College, Oxford.*

William de Durham, who died in 1249, bequeathed to the University three hundred and ten marks, for the benefit of ten or twelve poor Masters from Durham or the neighbourhood. The Chancellor accordingly put out the money to interest, with the approval of the Doctors of Divinity; and divided the proceeds among the parties interested. In a few years however, the money was invested in houses; and certainly as early as the year 1280 the matter developed itself into an entirely new form. What had happened in the interim, we can but guess; but at the date of which we speak so many abuses and such mismanagement were discovered, that a Commission,† appointed by the University to settle the whole affair, gave over the management in future to four of the legatees, and constituted them all after the model of what we now call a College. The number of the Fellows was to be increased according to circumstances, and the Statutes to be extended or modified. Legacies afterwards received, enabled them to effect the former

* I make use only of the accounts given by Wood. I have not been able to get a sight of Smith's History of University College, and the best known works on Oxford contain nothing new.

† See Note (37) at the end.

object, and to purchase a house which to this day forms part of their extensive and rather handsome buildings. New Statutes were added in 1313, and these again were modified in 1475. But we cannot go into details; and it is enough to have shown, how gradual was the passage from a mere stipendiary establishment into a collegiate body, residing within the same walls, with Statutes of their own and a Principal.

§ 106. *On Merton College.*

But before this establishment had completed its transition, Merton College shot up all at once, and gave a pattern for others to follow. Its founder, Walter de Merton, Chancellor of England in the reign of Henry III., had passed through every grade of rank, and was animated by an intelligent attachment to learning, to the Church, and to his native land. The foundation-documents display his distinct insight into the wants of the times, and his consciousness of the importance of his scheme. In 1264 he obtained from the King and the Pope full authority to proceed, and, the very next year, he opened his College at Oxford, in a house which had belonged to the Abbey of Reading. The establishment was enlarged both in 1270 and 1274; and in the latter year it seems that certain scholars who had been studying under his patronage at Malden

in Surrey, migrated to Oxford. He made the Archbishop of Canterbury Visitor of the College, and authorized him to elect from the Fellows a Head, called *the Warden*. The yearly income of the Fellows was fixed at fifty shillings, and their number was to be increased according to circumstances.*

§ 107. *Other Colleges,— especially Balliol.*

His example was followed at Cambridge earlier than at Oxford; except that the completion of University College, Oxford, may have been accelerated by the impulse given from Merton. But even before this, already in 1274,† Hugh de Balsham, Prince-Bishop of Ely, had founded the first College at Cambridge, called *Domus Sancti Petri*, (Peter House). At the same time another stipendiary establishment at Oxford began to develope itself into the collegiate form. John Balliol, of Barnard's Castle in Yorkshire, (father of John Balliol,

* Wright endeavours to show in a note to page 76 of his edition of Fuller's History, that Walter de Merton founded even earlier, or at least at the same time with his well known College in Oxford, a similar establishment at Cambridge: nevertheless, I must confess that the documentary passages there cited do not convince me of the fact, but merely prove according to my opinion (what is already partly known) that the *scholares domus de Merton* at Oxford, had likewise considerable possessions in Cambridge as well as in the County. [*From the Appendices.*]

† There are no grounds for fixing the date 1256, commonly assigned for this College. Wharton however in his Anglia Sacra, (i. p. 74) represents a document of the year 1274 to make mention of *Peter House*; and I know no reason for doubting the fact.

the Pretender-King of Scotland,) had maintained, during his life time, several poor scholars at Oxford. He died in 1269, but not without earnestly recommending to his wife Dervorguilla to further and extend his plans. By the advice of her Father-Confessor, the Minorite Richard Slickbury, she collected into a single house all who were receiving the stipend, increased the endowment, gave them (in 1282) express Statutes, and in 1284 purchased for them a building on the present site, into which they forthwith removed. Her scholars had the right, it would seem, of choosing two Masters, *not* belonging to their body, as, in some sense, their Visitors; (at least, to this day, Balliol is the only College which boasts of choosing its own Visitor;) they chose also their own Head, but it rested with the Visitors to confirm the choice. The scholars were enjoined to study in Arts, to observe temperance, good conduct, Church-services, masses and prayers for the souls of the founders, of their ancestors and their posterity, and to use only the Latin language, especially in their weekly disputations. The number of those who were to profit by the endowment was originally sixteen, each of whom received a yearly revenue of seven and twenty marks. What was left at the common meals of the society was to be given to poor scholars.

Henceforth the Universities found from time to time more or less generous benefactors, eager to

BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

DERVORGUILLA, WIFE OF JOHN BALLIOL,

of Barnard's Castle, Yorkshire.

Foundress of Balliol College, Oxford.

Day & Haghe, Lith.rs to the Queen.

save their souls or benefit the Church, by either founding new or enriching old Colleges. Under the head of *the interests of the Church* were included, according to the opinions of the time, all branches of learning: nor can we expect, before the middle of the fifteenth century, to find, that learning, in and for itself, was looked-on as of primary importance in such acts. In this manner arose, before the commencement of more modern history,—in Oxford, Hertford College, in 1312, Oriel College in 1324, Queen's College in 1340, New College in 1379, Lincoln College in 1427, All Souls' College in 1438, Magdalen College in 1458, Brazenose College, in 1509,—and in Cambridge, Clarehall in 1326, Pembroke College in 1343, Caius College, in 1348, Trinity Hall, in 1350, Bennet College (Corpus Christi) in 1351, King's College in 1441, and Queen's College in 1448.

Each separate College not only has its history, but once had its traditions; of which, however, the over-wisdom of modern times has scarcely left us one. Among the best was certainly that concerning a scholar of Queen's College, Oxford, who, being attacked during a solitary walk by a wild boar, thrust his Aristotle down the animal's throat and returned home in triumph with the head. For this reason the Boar's head played a prominent part in the Christmas festivities at this College, and even in Wood's time continued to be greeted with the following verses:—

The boar's head in hand bear I,
Bedecked with bays and rosemary.
And I pray you, masters, merry be
Quot quot estis in convivio.
Caput apri defero
Reddens laudes Domino.

The boar's head, as I understand
Is the bravest dish in the land.
Being thus bedecked with gay garland
Let us *servire convivio.*
Caput, &c.

Our steward has provided this
In honour of the king of bliss,
Which on this day to be served is
In *Reginensi Atrio.*
Caput apri, &c.

§ 108. *Pecuniary resources of the Colleges.*

All these institutions were more or less endowed with landed property, houses, money, jewels and articles of value, Church patronage, the power of imposing fines, and other more or less honorable or profitable juridical and police rights. Wood had himself seen the spot* where Merton College had the privilege of exercising the extreme acts of penal judicature; to "hang, draw and quarter;" (v. Hearne's Lib. Scaccarii. Append. p. 575).— Yet we must not figure to ourselves any very brilliant picture of their exterior appearance, nor imagine that we are to find, in the fourteenth and fifteenth centuries, those palace-like buildings, richly fitted up with the luxuries of modern life,

* [Although Professor Huber seems to believe this extraordinary statement, we should be glad of some better proof of it, than the fact that *Wood had seen the very spot* where such things went on.]

which in the present day adorn the English Universities. The academic architecture first began to improve in the age of Edward III. We might mention the Library, Great Entrance, and New Chapel of Merton College, the greater part of Oriel College, the great Hall of Queen's College, &c. But it was New College which first, by the princely liberality and cultivated taste of its founder, Wykenham, Bishop of Winchester, reared its head in splendor till then unknown. This example was not without its influence, especially after the middle of the fifteenth century. The revival of the Arts in Italy then began to be felt in England, and produced the Architecture which is there known as the *Tudor* style. King's, Queen's and Trinity Colleges in Cambridge; in Oxford, Magdalen College, the great Theological School, Corpus Christi College, and some other buildings, are admirable memorials of that epoch.

We are not, however, to suppose that the whole economy of these Institutions was of corresponding splendor. On the contrary the effort at architectural beauty, which was favored by the spirit of the times, disproportionately exhausted the College resources. Temporary difficulties also, arising out of the civil wars which preceded the reign of the Tudors, seem to have pressed hard on most of the Colleges. At all events it is certain, that these bodies up to the time of the Reformation were

never taxed with intemperance and gluttony, at the time when this imputation was most freely* laid on the clergy, and especially on the monastic establishments. On the contrary, we find constant complaints of real want even in the larger Colleges, and as late as the sixteenth century.

§ 109. *Political causes of Distress.— Hard life of the Scholars.*

In truth, the struggle between the temporal and spiritual powers was beginning to shake society and to depreciate property, while, through the influx of American gold, prices continued to rise. Assisted by the endowment, the *Fellows* of the Colleges lived on through the hard times; yet even they had but the barest necessaries of life, and these not always. Moreover the rules prescribed by the College discipline for study and devotion left but few hours for sleep, food, and recreation.

It is indeed clear enough from what we have said above of University, Merton, and Balliol Colleges, that it was not the object of the earlier Colleges that their members should live in pleasure and luxury. Even the richest establishments — such for instance as New College — gave no more than from ten to twelve pounds yearly to each Fellow.

* We need only refer to the Lollards and the Vision, and more especially the Credo of Pierce Plowman.

The annual revenues of this College were reckoned in the time of Henry VIII. at eight hundred and eighty-seven pounds (v. Chalmers), and that of Balliol College at seventy-four pounds. Those of the others lie for the most part between the two. Bitter complaints were made before Parliament by the Fellows of University College, respecting their distress and want, occasioned by the mal-administration of their revenues by the Head of their College. (v. Rol. Parl. iii. 69.) A lively picture of the very frugal circumstances of the Colleges at the beginning of the sixteenth century, containing more special details of what is intimated in general terms by earlier testimony, is to be found in a manuscript written by a scholar of St. John's College, Cambridge; in which, after many bitter complaints of the general distress, he proceeds [in Latin] :—"The greater part of the scholars get out of bed between four and five o'clock in the morning: from five to six they attend the reading of public prayers, and an exhortation from the Divine Word in their own chapels: they then either apply to separate study, or attend lectures in common, until ten, when they betake themselves to dinner, at which four scholars are content with a small portion of beef bought for one penny, and a sup of pottage made of gravy of the meat, salt, and oaten flour. From the time of this moderate meal to five in the evening *they either learn or teach,* and then go to their supper, which is scarcely more

plentiful than the dinner. Afterwards problems are discussed, or other studies pursued, until nine or ten o'clock; and then about half an hour is spent in walking or running about (for they have no hearth or stove) in order to warm their feet before going to bed." It is not very clear, it is true, whether this account includes those on the foundation: but even if, in what is there said, we comprehend only the pupils who bore their own expences, it gives us a standard to judge the whole by. The difference between the manner of living of the Fellows and of these pupils, was certainly not very great. From Erasmus we learn that the Fellows drank beer, not wine. His letters from Cambridge depict much external meanness there: indeed Oxford appears already to have gained a start of Cambridge in these matters, which until recent times she kept. In more prosperous days we may admit that the Colleges had more to eat and drink, and possibly a fire in the chimney; but no one who considers the above, will imagine them ever to have had luxuries; while, how matters stood at a still earlier time, Chaucer's description of an Oxford clerk may show.

§ 110. *Specific Differences of the several Colleges.*

Much as the Colleges appear at first sight to resemble each other, very great differences existed

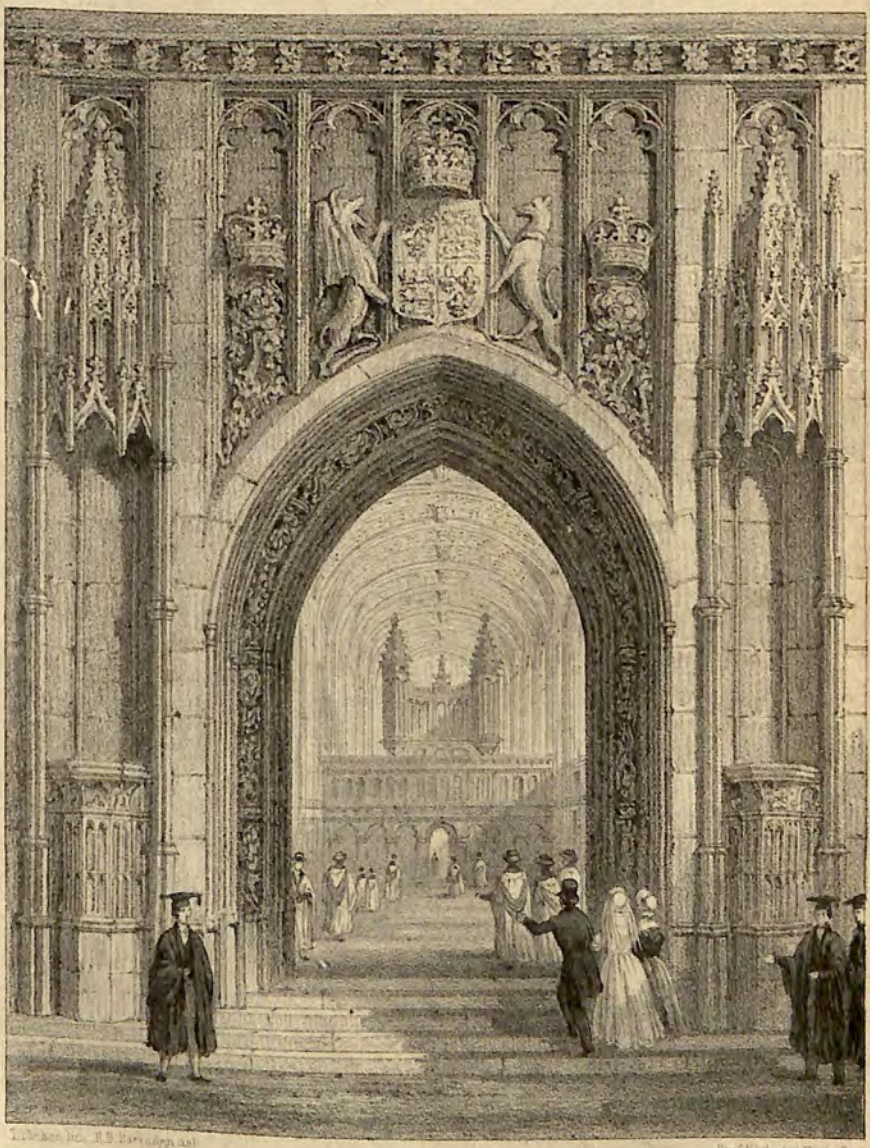
among them, from the various means, intentions, and perhaps caprices, as well of the original founders as of subsequent benefactors. The opinions also and views of the corporation itself exercised much influence on its own destiny. Some may have so managed their property, as always to reserve a fund, even independently of any new donations. Any such residue might be used, either to adorn the exterior of the College, or to extend its scientific resources, or to enrich the fellowships, or to found new ones. The mode also of election to these posts varied exceedingly. Indeed a plurality of votes among the already existing members generally decided how the vacant places were to be filled: but the qualifications for candidates were very different. In some cases the matter was perfectly unrestricted; in others especial advantages were granted either to members of the founder's family, or to natives of certain towns or counties, or to the scholars from certain schools, &c.

§111. *Interior Growth of the Colleges and of their Endowments.*

The first stem of a corporation of this kind consisted of *the endowed members,* and their *Head,* who was elected from among themselves and bore various names:* but to these were very soon added

* [*Master* of University College, *President* of Magdalen College, *Provost* of Oriel College, &c.]

members of another kind. Thus we find in the oldest statutes of Balliol College the directions that the remnants of the common table should be given to poor scholars. A more intimate connection of course then arose between them and the College, by their rendering certain menial offices in the house in return for this benefaction. Fixed stipendiary endowments for poor scholars were then established; and they thus became members and inhabitants of the College, in a subordinate position, although in some cases with special advantages for attaining a fellowship when vacant. Many of these stipends were destined for scholars of certain schools — a new element of diversity between College and College. Another tie to the growing societies rose out of their devotional exercises. Merton College first, from its very foundation, was provided with a private chapel: and a private chapel was soon looked upon as indispensable to every College. This arose both from the ordinary religious duties attendant upon College discipline, and from the extraordinary ones, such as the masses to be repeated for the souls of benefactors. Hence it became needful to swell the retinue of the College with Chorister-boys, Chaunters, Organists, and Sacristans, all of which posts by degrees received especial endowments. After this, the College libraries were a new call on the liberality of benefactors. Finally, the servants properly so called, at least the most important of them, such as Cook,



WEST ENTRANCE OF KING'S COLLEGE CHAPEL CAMBRIDGE.

Butler, and Purveyor, were established by especial foundation.

§ 112. *Swelling numbers of Academicians in single Colleges.*

In all the Colleges, the pupils or boarders* whose payments formed one source of the College revenues, soon greatly outnumbered all the other members. To accept of such inmates, does not seem to have been originally at all intended, at least in the earlier Colleges: yet it soon became not only the general practice and right, but, to a certain extent, a duty also, since (as we have seen) the academic pupils were obliged to enter some College or other. Most of the old Halls were entirely given up, or became the property of the Colleges; to which they served as supplementary buildings under the superintendence of Fellows appointed for the purpose. Naturally, it was but by degrees that the earlier Colleges enlarged themselves, and developed their system; but the later ones, which had a pattern before them to copy, from the very first aimed to attain every thing. At the same time the grades of liberality in the Founders were very various. We see the college system begin from the four poor *Magistri* who formed the first germ of University College, and proceed to the seventy Fellows of

* [Called at Oxford *commoners*, at Cambridge *pensioners*; i. e. those who *pay* for their board.]

King's College, Cambridge. But even this last was to be eclipsed by the more than princely foundations of Wolsey and Henry VIII. Bishop Wykenham however was the first to found a college, complete, from the very first, in all its parts. His endowment was named New College, and contained seventy fellows; (of whom fifty were Theologians, ten Canonists, beside ten Chaplains;) three Choralists, (music directors,) and sixteen Chorister boys. To this institution he attached a Latin School at Winchester, the pupils of which were afterwards to enter the College. But this was by no means a common school. It was as rich and extensive a foundation as that at Oxford, being in fact a College, with twelve Prebendaries, (as teachers,) and seventy free admissions for scholars. This establishment afterwards served as a model for King's College, Cambridge, and the Latin School at Eton. There was however less difference in the incomes of Fellows at different Colleges, than in the number of fellowships; because founders were originally less anxious to raise the incomes above mediocrity, than to support the greatest possible number of academicians. Partial changes however in this respect certainly took place as early as the fifteenth century, accompanying the change in the academic population mentioned in a former chapter.

ROYAL ASIATIC SOCIETY OF THE BOMBAY BRANCH

WILLIAM OF WYKEHAM,

Bishop of Winchester

Founder of New College Oxford

A.D. 1379.

§ 113. *Increased pretensions of College Fellows.*

For from the very first, the endowed members of the Colleges, either belonged, by preference, to the ecclesiastical order, or were destined to the Church. This was partly enforced by the Statutes, partly effected by the habits and spirit of the times; and afterwards by express provisions to that purpose.* Their foundations were intended to afford a maintenance to students; and it will be remembered that a Master of Arts was still but a student of the higher faculties: no provisions therefore were made in the earlier Statutes as to the duration of the enjoyment of these fellowships. We saw, however, how the principle established itself, in spite of resistance,† that the fellows should remain in their place until provided for elsewhere. Now as such provision was often slow in coming, the fellowship gradually ceased to be a stipend for young Students,

* The rule came to be established even in Colleges where no express mention was made of it, as we may see by a command of the Archbishop of Canterbury to the Warden of Merton College, enjoining the Fellows to take orders within a certain time and not to marry. (Wilkins' Concil. 140.) This was for the interest of the body, because ecclesiastical members could not burden the college so easily or so openly with families.

† An instance of this is given in the supplementary Statutes of Oriel College; which provide that the Fellows should resign their Fellowships, upon obtaining a benefice elsewhere, *or when twenty years had elapsed without their obtaining any*; since such a case must presuppose that they deserved none, and had employed their time improperly. (v. Joh: de Thorkelowe. Annales Edwarde II.. Ed: Hearne 1729. Appendix.)

and was transformed into a life-maintenance for learned ecclesiastics of maturer years. Hence, as the pretensions of the Fellows increased, benefactors began to aim at increasing their incomes, in preference to founding new fellowships. The self-interest of the members themselves, in the administration and disposition of collegiate property, tended of course to the same end; often in direct opposition to the desire of the Founder and to the Statutes. If the Visitors, at first, endeavoured to counteract this, they at last gave way to the force of circumstances; and the necessity of larger incomes was at least tacitly recognized. Thus in founding new Colleges, or new Fellowships in the old Colleges, the benefactors of the University, as early as the fifteenth century, generally intended to furnish a decent and permanent maintenance for poor men of learning of the clerical order; and not mere stipends for young students. The elections also fell on persons of older standing: and thus the degree of Master* became at least the tacit condition of election, unless the contrary was expressly ordained by the Statutes. The transformation proceeded very gradually; and exceptions to these rules exist in fact to this day: but, at the same time, the principle which we have here noted was the *predominating* one even at the end of the fifteenth century. The Reformation did nothing more in this respect than hasten the process already going on.

* [It is expressly thus in the German.]

Meanwhile the position of the Fellows diverged more and more from that of the younger stipendiary students (or Scholars) and that of the independent pupils; towards whom they became a sort of permanent aristocracy. Their authority too was increased by dependents outside of the College walls, such as the parents and relations of the Scholars, the servants and the chorister boys: who generally came from the College estates or from tradesmen in the town.

§ 114. *New importance gained by the Heads of the Colleges — and tightening of the discipline.*

A question of new importance was, the relation of the Head of the College to the Fellows. The Statutes in this respect established only general principles, which admitted of being differently worked out. The form of the Colleges was certainly republican: yet there were materials enough for a Principal, with talent, firmness, and perseverance, to establish a pretty despotic rule. Moreover the relation of the College to the University, and indeed to all exterior persons and bodies, necessarily put forward the Head as the only representative of the College, and secured for him a dignified position.

The strong separation thus marked out between the ruling and the ruled, facilitated the enactment

and the execution of severe and almost monastic restrictions on the younger portion: especially since the elder members, all of them ecclesiastics, would find no great personal hardship in submitting to the rules. It is however remarkable that corporal chastisement was practised on the pupils as late as the seventeenth century, even upon "gentlemen" who wore swords, and who were on the point of entering themselves in an Inn of Court at London.

§ 115. *On the Colleges as Establishments for Teaching.*

Another important point must have developed itself gradually: the *College-Tutor* system. At what period certain of the Fellows were first authorized by the College to superintend the studies of the younger members, we have no precise notices; and we may fairly infer that it rose of itself, and spread as circumstances required. But this leads naturally to a new side of the subject, and a very important one, viz. the influence of the Colleges as establishments for Teaching.

It is indeed clear that even in the earliest times the Principals of the Halls were necessarily the *Tutors* of those who came so closely into connection with them as boarders. We have an ordinance to this effect as early as the year 1231, which says that no clerk or scholar shall remain a fortnight in

the Town without placing himself under a *Master of the Schools* as *tutor*. The first express mention which I have been able to find of the "tutors" (in the latter sense,) although a perfectly casual one, is of the year 1548. It speaks of the "*Principals of the Schools and Halls*" and of the "*Masters, to whose* instruction the juniors are to be committed.*" This is a proof that the practice had long existed. As long as every thing retained a very limited form, the Head of the College (like the *Magister Regens* before) was the tutor of the younger members of his establishment. But when every thing became more extensive, and the Principal took a higher position, his occupations as well as the number of the juniors was increased. Other Fellows therefore necessarily relieved him in part or wholly of these duties. When we reflect at what time and how gradually all this took place, we can scarcely expect to find any documentary evidence as to its origin.

But it is certain that the Colleges were not originally establishments for instruction. The Fellow had no other duties, than those of religion, prescribed by the College Statutes, and those of study, prescribed by the University. He was in possession of a *fee-simple*;† and all that he did toward the moral or intellectual improvement of the younger boarders, could only be of his free will. His teaching might be inspected, limited, or

* [In the Latin *disciplinam*.] † [*Beneficium simplex*.]

permitted by the College and its Principal; but not required. Upon the Head of the College alone was imposed either expressly (as was the case in Balliol College) or tacitly, the duty of superintending certain College exercises of the Fellows while they remained *learners*. These exercises, however, were completely minor affairs, as long as the regular studies of the collegians were pursued in the University-Lecture-Rooms, just as was done before the existence of the Colleges by the members of the Halls. In fact, the Colleges had a less proper and intimate concern than the Halls, in the intellectual improvement of their members; for with the Hall there was, at least often, a School connected, and the Head of the Hall was at the same time the Director of the School, the teacher of the society. Even from the very nature of the case this could not well be in the Colleges; where the Principal was by no means chosen for intellectual accomplishments. And how, in fact, would this have been possible when the other members were studying in different branches of academic learning? For although, most assuredly, the theological element prevailed, yet there were studies in Arts by way of preparation, and the Canon Law as completion. Thus wherever the Principal or one of the Fellows acted as a University teacher, this was quite independent of the *College* regulations, and probably seldom or never took place within its walls. For it is hardly probable, either that a

competent teacher would volunteer to restrict himself to the few members of his own College, or that the College should have opened its Lecture-Rooms to the University. Anyhow, the fact is undeniable, that until the end of the fifteenth century, to teach in the Colleges was a purely voluntary act on the part of the Fellows. Since the Statutes nowhere lay upon them the duty of teaching, no evidence is needed to disprove the assertion so often made in modern times, that instruction was their original duty, and that the neglect of it in the present day is an abuse. Exceptional cases in certain Colleges prove the very opposite; as, the custom enacted in Queen's College, that the Scholars, before dinner, (where they waited as servants,) should answer upon their knees questions put to them by the Fellows. Not only is it clear from the nature of the case, as we have said, that schools were not originally opened in the Colleges, but we find in the Statutes of University College the express injunction; "That Schools should not be established in the houses of the said Masters without their consent." The following article from the Statutes of Balliol College is also worthy of note: "It is likewise enacted that every week each should discuss some *sophism*, and that each in turn plead for and against; but if any of the *sophists* be sufficiently advanced to pass his* examination in the [public] schools before long, then he shall be examined by

* determinare.

the Principal, that he may first display his abilities before his fellow-collegians. But let it be the part of the Principal to act as Moderator," &c.— Like preparatory exercises would naturally take place in all the Colleges.

If there is no case definitely recorded, of a Fellow volunteering to give private lessons to the junior members of his own society, this is no ground for inferring that such cases did not happen. The very nature of things suggests that this would begin from kindness, and would become a source of emolument; would then be imitated, and would extend itself, until it attained system and importance, calling for regulation or establishment by statute.

§ 116. *The Colleges are elevated by the cultivation of the Classics.*

The great intellectual barrenness of the *Universities* towards the end of the fifteenth century, eminently assisted the *Colleges* in assuming a loftier and independent position. We have seen how the older speculative philosophy sank into a heavy formalism, and how the regenerating principles from the school of Wykliffe had been crushed. The University studies were evidently as salt which had lost its savor, and there was no inducement for eager cultivation of the same branches in the new and rising institutions. The Colleges were a part

of the *movement* of the age, and they seized upon its newest fruits,— the revived classical studies; on the culture of which, the fame of the Colleges was based. Such at any rate is the fact, however it be accounted for. The use of the Latin language in daily life was already prescribed by statute to the earlier Colleges; a rule, which, with all its serious inconveniences, may often have forced a culture of the language by no means despicable. The "Grammatical Faculty" of the Universities was extinguished in the year 1442; obviously because the Public Teaching of the University could not compete with the rising zeal of the Colleges. There a few nobler spirits, in their solitary cells, first cultivated the Classics with a kind of secret devotion. But this new vocation in the Colleges necessarily became more prominent, when, even beyond the Universities, the more distinguished among the rich and powerful of the land caught the new impulse, and poured out their benefactions, expressly to promote this object. The form, however was generally the one originally given; to found new Colleges, or, to enrich those already existing. To this was now added, the founding of Professorships in the new or received branches of learning, partly for Public lecturing, but more especially for tuition in the Colleges. This point, however needs further explanation.

§ 117. *The rise of a Classical spirit may be traced back to an earlier time.*

It is well known that zeal for the cultivation of the Classics reached its highest point during the first half of the sixteenth Century; and that the reign of Henry VIII. and his all powerful favorite, Wolsey, derived from it the best and purest portion of its fame. The Elizabethan period was distinguished only by a wider diffusion of the same impulse, and by an adaptation of its results to the popular mind. But the springs of this intellectual movement lie much further back than is generally supposed.* Even the better informed upon the subject are inclined to look upon Erasmus of Rotterdam as the father of classical studies in England: but, the testimony of Erasmus himself shows, that upon his very first visit to Oxford, he found there a richness and maturity in this cultivation, which could have been the result only of long time and care. Of course this does not lessen the merit of his successful attempts to promote the same studies at that period, and also a few years later during his longer stay at Cambridge.

* I cannot of course, pretend to instruct professed Philologists in the History of their own science in England: but, beyond their sphere so few correct or definite opinions are entertained upon this point, that the more diffuse account upon which I have entered above may not be superfluous. I have borrowed several notices from Warton, who, however, also arrives at no very decided view of the subject.

OF THE
ASIATIC

ERASMUS,

of Rotterdam:

One of the Founders of Classical Studies,
in the English Universities.

A.D. 1497—1518.

Day & Haghe Lith.rs to the Queen.

In fact we may trace the matter back, with certainty, beyond the middle of the fifteenth century: and we might perhaps recognize even in Wykenham's foundations at the end of the fourteenth century, a movement in this direction, though perhaps he had no very clear consciousness of its scientific importance. There first do we find a College to which is attached, beyond the University, a School expressly devoted to Latin literature. We cannot learn in what spirit these studies were conceived and pursued at Winchester; or whether they exhibited any trace of the new classical life. More definite information might perhaps be gained from the statutes of a great Grammar School founded at Cambridge in the year 1439. Its founder, William Byngham, intended it to be connected with Clare Hall, Cambridge, nearly as Wykenham's School at Winchester with his College at Oxford. The pupils, however, (probably after completing their course in Arts) were to be employed as Teachers, in hope of reviving the decayed Grammar-Schools in many parts of England; in other words, to bring the neglected Classics into repute. There is no express record (as far as I know,) that Byngham himself had been educated in Italy, or had elsewhere drunk of the new streams of learning. Yet this zeal* for Latin literature which had for almost three centuries past been neglected in

* [By *Grammar* School, was understood a School for learning *Latin* Grammar, as introductory to the study of the classical writers.]

England, was in itself a strong proof that he was influenced by the new spirit breathed from Italy.

§ 118. *Direct Literary connection between England and Italy.*

Nor was direct intercourse wanting even at that time between Italy and England: for English Ecclesiastics were continually employed on business at Rome. As one of the great promoters of this new impulse we ought to mention Humphrey duke of Gloucester. We have spoken of his benefactions to Oxford, early in the same century; especially the MSS. of the Classic authors which he presented. But beside this, he was ever conferring favors on men peculiarly eminent for Classical attainments. In his society, learned Italians such as Titus Livius Forojuliensis and Antonio Beccaria, met with such men as Lydgate and Wethanstead. Indeed there is no doubt of the Duke's close connection with Italian scholars. Leonardo Aretino dedicated to him his translation of Aristotle; Petrus Candidus (Duke Cosmo's private secretary) his translation of Plato's Republic; and Lupo da Castiglione and Pietro da Monte, their translations and treatises. In Lydgate's own poems, though the spirit of the Middle Ages predominates, we can recognize the influence of classical literature. In fact, the more we approach the middle of this century, the

more distinctly do we discern the movements to be in this direction: insomuch as to make it probable that the same end was aimed at in the Eton and Cambridge foundations of Henry VI. and his noble Queen. Their own characters countenance the belief. Henry had a learned education, was endowed with much tenderness and taste, and took deep interest in the cause of learning. Margaret of Anjou surpassed most women of her time in grace and beauty, and most of the men in strength of mind and intellectual cultivation. To her is owing the foundation of Queen's College, Cambridge, in 1446. Yet the political revolution which followed, endangered the stability of these institutions. According to Fuller, Edward IV., in enmity to the House of Lancaster, deprived King's College of several of its estates, and other sources of revenue. Nor had the first Tudor sovereign much taste for learning. Indeed the Professorships of Theology founded by his mother, the Countess Margaret of Richmond, proceeded more from piety, than from sympathy with the new spirit of the times. Nevertheless, classical studies, less favoured by Princes and Nobles after the middle of the fifteenth century, won their way unnoticed, with a progress perhaps so much the more pure, free and healthy. A little later, we find clear evidence of the most advantageous intellectual intercourse between England and Italy. Flemyng, Grey, Tipetoft, Free, Selling and Gunthorpe are mentioned, at the age of

sixty, as among the most famous scholars of the celebrated masters at Bologna, Padua, Ferrara, Rome and Florence. Soon afterwards, Lily pressed on still further toward the sources of this new life, and received, in Rhodes, instructions from fugitive Greeks out of Constantinople. At the same period, we find Italian teachers in England; as Cornelius Vitelli at Oxford and Cajus Amberinus at Cambridge.

§ 119. *The new movement came neither from the Church nor from the Universities, but from individual energy.*

These men and their labors, it is true, were not devoted to the Universities alone. It is indeed a striking fact, that they were originally employed here and there, with the greatest freedom, in the most different circles. The inward impulse animating them was sustained by the cooperation, not of institutions, but of individuals. The same may in part be said of the speculative movement of the twelfth century; and, without a doubt, of every intellectual impulse, which is animated by an independent principle of life. In *that* instance, however, the movement naturally and almost necessarily proceeded from ecclesiastics and their schools; and the Church herself soon turned all her attention to the matter, exercising (as far as possible) an immediate superintendence. This, however, was

not the case with the revival of classical studies, which originated chiefly in private circles and among the higher classes. With these, the new literature was pursued as a free and polite art, conducing to the highest mental cultivation of an *extra*-religious kind.

§ 120. *It pervades the Higher Classes, and the Dignitaries of the Church.*

Throughout Christendom at large, in consequence of the disordered and decayed state of the Church—(so different from that of the twelfth and thirteenth centuries) — Bishops, Cardinals and Popes gave themselves up entirely to those profane studies, even in their worst tendencies; seeking only to derive enjoyment from them. They did not dream of superintending a movement so dangerous to Christianity, all being in fact too lukewarm to trouble themselves about it. And so the new tree of knowledge bloomed here and there, either in brilliant courts and rich cities, among the other enjoyments of the great world; or else, in retired cloisters and schools.

In England, the Court and courtiers stood aloof from the whole matter till the beginning of the sixteenth century; yet not a few Churchmen of some consideration took up the cause with great zeal: nor must we overlook the fact, that several

Monasteries towards the end of the fifteenth century were transformed, by the zeal of their Abbots, into very productive nurseries of the new learning. But these were brilliant exceptions. The majority of the religious houses persevered in their old torpidity, until common ruin overwhelmed them all. Even among the Bishops were to be found at that time several patrons of these new and worldly Muses,—as for instance Chadworth, Bishop of Lincoln; Langton, Bishop of Winchester; and Oldham, Bishop of Exeter. Such facts need to be set forth, both because they have been too little dwelt on by the Protestant* party, and because they had an important influence on the course of things at the Universities.

§ 121. *That the cooperation of the Colleges in the new movement was real and considerable in the fifteenth century.*

Although, therefore, it may not have been in the Universities, alone or chiefly, that classical studies were nurtured, it is certain that before long these studies assumed a predominating importance *there*. Most of the men whom we have named, belonged, in one quality or other, to the Universities, spent more or less time there, and gave such proofs of

* Except Warton, (sec. iii. 256,) who on these matters shows most praiseworthy impartiality and solidity of judgment.

their attachment either to their "Foster Mother," or to some of the Colleges, that there can be no doubt that they regarded these institutions as fellow-helpers in the work of advancing classical literature. Through the liberality of such men, the Universities became possessed of numerous MSS.* of Classic authors, imported from Italy.

When we farther remember how soon the art of printing came to be employed upon this field, it will appear beyond doubt that, immediately after the middle of the fifteenth century, the Classics were studied at the Universities. We cannot be surprised that the relation of Teachers to Scholars was not at first formally established, and definitely recognized. Generally, it assumed the form of a† friendly intercourse between kindred spirits, especially in the Colleges: and was therefore the less likely to be transmitted to us by direct historical testimony. But when Erasmus, at the end of the

* The Humphrey Library already contained great treasures of this kind. Gunthorpe afterwards presented to each of the two Universities, and also to King's Hall (?) in Cambridge, some very valuable Manuscripts of the Classic authors. Grey evinced his generosity in the same manner to Balliol College, and Selling to All Souls' College, (v. Warton, iii. 250, et sqq.) The introduction of printing into England took place according to the best authority in 1472. According to Wood the art was already practised at Oxford in 1465. But there is no doubt that Wood's calculation is erroneous and the other correct.

† The fact that instruction in the Classic studies was at first given privately at the Universities, and bore the character of mere friendly communication between the parties, may be seen from Wood's expressions with respect to Grocyn, who, he says, gave lectures in Greek "of his own free will and without any emolument."

century, could declare, that at Oxford, in the society of Lynacre, Grocyn, More, Colet, and others, he forgot even Italy with her Masters and Schools; the fact speaks loudly enough in favor of the silent but active progress of the preceding generation of English classical scholars.

Independently of many other expressions used by Erasmus, we may quote the following passage from a letter written by him to Robert Pisco (Dec. 1497). "'But what? (say you) does our beloved England please thee?' If thou canst believe me at all, friend Robert, believe me in this, that nothing ever pleased me so much. I have found here a most pleasant climate; and of Classic erudition (not trite and shallow, but profound and accurate, both in Latin and Greek) so much that I no more long greatly for Italy, except by way of a visit. In my friend Colet, I seem to hear Plato himself. In Grocyn, who can but admire that complete circle of learning? Than the taste of Lynacre, what can be acuter, loftier, purer? What has nature ever created in genius, more easy, more happy, more charming than Thomas More? But why should I go through the rest of the catalogue? It is wonderful what a rich harvest of Classic literature flourishes here on every side," &c. His accounts of Cambridge during his second stay in England are far less favorable, and though we find a sort of vague praise of the University in a letter of the year 1519, where he says that it

"flourishes with all ornaments," yet he gives vent to continual complaints of ignorance and want of sympathy in his labors. The whole style of life at Cambridge seems to have pleased him less than that of Oxford.

This more tranquil, and perhaps more salutary growth soon attracted wider and louder sympathy, and gained for the University many outward and pecuniary resources, mixed up with many adventitious and in part injurious elements. Numerous schools were endowed and opened throughout all England, with the avowed intention of promoting Latin literature; the most distinguished of which was St. Paul's School in London, under Lily's management. Nor did this new impulse fail to take effect upon the academic population. Among the fruits of the period, we may recount the well-known names of Crooke, Cheke, Tyndall, Latimer, Stockley, Prior, Tunstal, Pace, Wakefield, Smith, Leland, &c., all of whom belonged more or less to the Universities.

§ 122. *Opposition to the Classic Literature.*

In the progress of the new learning, however, a double action ensued. If, in the change thus rapidly working, favor was bestowed by the most influential men in the country upon the new polite literature, on the other hand much violent

opposition arose against it in many other quarters. Here, of course, as elsewhere, the chief opposition came from duller, narrower, and more vulgar minds, to whom all that is new is in many respects inconvenient. But opposers were also found of nobler and sterner mind, more far seeing, and more deeply feeling; who discerned and dreaded, as well the heathen element which essentially prevaded this new spirit, as the anti-catholic tendencies which soon, more and more, attached themselves to it. Their hostility might very shortly have mounted into persecution, had not the classical scholars preoccupied the good opinion and secured the protection of the highest powers. The danger might have been the more serious, since the opposition party was not wanting in popular support, especially from the academicians; who might easily have excited their partisans to the most tumultuous excesses. Yet in fact, the struggles which took place between these academic "Greeks" and "Trojans," who under their "Achilles" and "Hector," &c., &c., fought the battles of the new Classics and the old Scholastics, were, without a doubt, among the *least* disagreeable and injurious expressions of popular opposition. For although the students of neither host were much enlightened by such demonstrations of zeal, yet the whole affair was thus forced upon public notice, which could not fail of being in the long run advantageous to the new and more vigorous principle. Similar

effects must have followed the dramatic representations which from earliest times had been connected with the academic festivities. Whenever, either in the Colleges or in the Monasteries, the Greeks (or Classicists) had gained the upper hand, efforts were made to act Latin Comedies in the place of the old Scriptural Miracles, and we may well believe that the stage often became the field of battle or of victory, to Greeks or Trojans. But at the same time, these amusements were the best means of attracting youths of talent, and uniting the *utile* with the *dulce*.*

Beside what is mentioned by Wood respecting these academic Greeks and Trojans, we have a long

* Theatrical festivities of this kind are not mentioned until near the end of the reign of Henry VIII., but frequently afterwards: because then first they were conducted with splendor and exhibited before noble and even royal spectators. Yet there is no doubt that they were well known much earlier, although acted with fewer exterior advantages. Many points bearing upon these matters may be found in Warton, (iii. 205, sqq). When we find in the statutes of Trinity College in 1546 express regulations respecting the office of *the Managers of the Plays*, and the duties of the Lecturers to write Latin Comedies upon certain occasions, we may calculate with certainty that the thing itself, although in a state of less advanced and formal development, had for some time existed in the Colleges. Latin Comedies were brought on the stage by Reuchlin in Germany in 1495; and how easily might Erasmus have introduced into the English Universities the same exercises, when it certainly had advantages as a means of instruction. Beyond the Universities, we find that Latin Comedies were represented for the amusement of the Court (those of Plautus for instance) in 1514 and 1522, (v. Warton, l. c. and Collier's Annals on the English Stage, i. 89). It is scarcely to be supposed that the Universities should have remained behind in such a track. Of course we do not allude to the undoubted cases which happened later (under Elizabeth, &c.)

epistle from More to the Oxonians relative to these follies, in which the "Trojans" are reminded of the proverb: *The Phrygians are slow to become wise.* I have already mentioned that at this time the long forgotten quarrels between the Northernmen and Southernmen again broke out: nor can I think it improbable that the Northernmen formed the very heart of the Trojans. In these same struggles we might perhaps find also the last traces of the opposition of the *old* Universities to the *new*, of the old "national" principle to that of the Colleges. Nor does it appear unsignificant, that the *slow to be wise* predominated particularly in Cambridge. The influence however of Chancellor Gardiner, who from his ascetic Catholicism was by no means favorable to the Classics, was enough in itself to effect this. Yet as the "handmaid of religion," he favored Philology and cultivated it himself with much success. That (after the manner of such men) he laid great stress also upon very minor matters, is proved, by the part which he took in the contest about Greek pronunciation, respecting which he issued as severe and serious ordinances as if the most important articles of faith had been concerned. Erasmus was nicknamed *Græculus iste* at Cambridge. Yet, that at Oxford also, men of consideration headed the opposition, is clear; for even in 1531 the new Statutes of Oriel College contained the following passage, (Thorkelowe Hist. Edward II., Ed. Hearne append.) — "We enjoin

every body to give less attention to the new literature and to the Latin tongue; and to direct their main efforts to the ancient studies, which will be more serviceable to them in exercising and defending their ordinary disputations." As a proof that similar feelings existed beyond the Universities we need only call to mind the zeal of a distinguished Prelate, who denominated St. Paul's School, opened by Lily, *a house of idolatry*: and it was a common proverb: *Let the Greeks take heed lest they become heretics.*

§ 123. *Disposition of Henry VIII. and the Great Men of his Court toward the new learning.*

But whatever may have been done earlier in England in the way of classical cultivation, it is clear that the reign of Henry VIII. opened for it a new epoch of outward brilliancy, through the decided favor shown it by the Sovereign himself and some of his Councillors. This favor however, was by no means steady or sure, especially as regarded the Universities. On the contrary the most serious crisis was brought about toward the end of this period, and in consequence of the efforts and interests of those high circles being otherwise directed.

The favor of the Court at this period was attracted to the new learning, by the increasing interest which the fine arts inspired, and by the rise of a

taste which could appreciate classical beauty. It served to embellish the life and ennoble the outward enjoyments of the rich and powerful: and *who* — (*then* more than *now*,) — would think of strictly examining the genuineness or depth of their sympathy with it? In addition to this, however, was another point, accidental to the matter itself, which made it an instrument that many were anxious to wield.

The ecclesiastical corruption of the times, had already made all the more discerning and right hearted feel the necessity of a thorough regeneration. Many found relief for this want in the reformationary movement proceeding from Germany, to which kindred elements in England soon attached themselves. Others saw in this nothing but a subversion of all that existed — a remedy worse than the disease. Now the new learning offered weapons for the combat to these defenders, as well as to many of the opponents, of the Catholic Church. There farther arose on both sides rugged and inflexible extremes, which looked upon the Classics as only a revived Heathenism. Protestantism gave birth as well as Catholicism to its *lovers of darkness*;* and, as for England especially, nothing is more incorrect than the Protestant idea, that only Catholicism was opposed to the learning of the times. On the contrary, the earliest promotion of the new studies came from the policy of Catholicism, with the pecuniary assistance, if not exactly the direct patronage, of the highest powers of the State. The ends

* [*Viri obscuri.*]

aimed at, were;—to combat heresy,—to drive out of the Church the barbarism, which had provoked so many attacks,—and to bring about a general inward reform. And in this respect, what was done in England must be distinguished greatly from the favor shown by the Church to polite literature in Italy and Rome itself. There, it was long a mere pagan thoughtless love of pleasure: in England, a serious interest for the Catholic Church. A policy, at bottom the same, was adopted even earlier, on the other side of the Pyrenees, as for instance by Cardinal Ximenes; and it afterwards appeared under a systematic form, although less fresh and young, in the widely extended influence of the Jesuits. Whether a primary and essential error was at the bottom of this whole effort; and whether, sooner or later, it must have been inevitable to sacrifice either Catholicism or learning; it is not our business to consider here. It is enough to know, that sincere and able men believed it possible to strengthen and support the former by the latter.

It is difficult to decide what part Henry VIII. took in these efforts, and in what direction he favored them. We need no proof that the new learning must, more or less, have affected him; inasmuch as it opened a rich source of those more refined sensuous enjoyments required, (according to the model of Italian and French Princes,) for the splendor and honor of a young Court. In this

respect, his reign opened in England the new epoch, precisely as did that of Francis I. in France. Yet the interest evinced by the King toward these matters, in great measure, no doubt, sprang from the influence which others exercised upon him. We may still put the question: Had he *personally* any perception of the higher importance of the subject? The now prevailing opinion denies him this, as well as every other elevated sentiment: but such a reaction against the shameless flatterers of his time, may have gone further than the impartiality of history would justify. Henry was not deficient in nobler capacities, nor in such a cultivation of them as was to be expected or desired in a Prince. And although, at a later period, through the immeasurable excesses of his violent passions,— (nourished as they were, by the unprincipled selfishness of those whose duty it was to oppose them,)—these better qualities may have been driven back and spoiled: yet we may find traces of them even in his later, though not perhaps his latest, years. Especially, he appears to have appreciated correctly the importance of severer studies and of intellectual life in general: and he, doubtless, took them up as strengthening Catholicism, according to *his* views of it.

I may here be allowed perhaps to present to my readers a few characteristic traits collected from Wharton. As early as 1519, when the contest which existed in Oxford upon these matters came before

him for decision, Henry declared most decidedly to the Masters, who waited upon him at Abingdon, that the Sacred Scriptures ought to be read in the original language. He it was who in 1524 summoned Wakefield from Germany to labor in this cause at Cambridge, and admonished him upon the subject with much seriousness and discernment. At his express invitation Luis Vives too came over to England. But ignorant ecclesiastics were often made to feel the weight of his displeasure; as occurred for instance with his Court Preacher, who having been driven by More to confess in the King's presence that he could not distinguish Greek from Hebrew, was immediately banished from Court. That the King's polemical writings against the Reformation manifested some knowledge of theology, is well known: and this theological tendency, favored by vanity and other passions, may latterly have thrust more into the back-ground his interest for polite literature.

§ 124. *Wolsey, Patron of the Classics.*

Be this as it may; we do not deny that to Cardinal Wolsey belong alike the honor and the responsibility of Patron to these branches of learning, as handmaids and supports of the Catholic Church. Wolsey surpassed the King greatly, both in pure relish for their beauties, and in depth of intellectual

culture. For, however much he may have been actuated by low and selfish purposes; however often he may have adopted unworthy means for attaining nobler ends, his better qualities justified the very highest pretensions. Under rougher forms, he concealed a Medicean spirit; and there is no doubt that Leo X. could have had no worthier successor than he.* It is notorious that Wolsey promoted classical cultivation both with much discernment and attachment, and with unlimited generosity. The only question could be as to his spirit and purpose. Already several worthy Prelates, such as Fox, bishop of Winchester, his predecessor Langham, and Fisher, Bishop of Rochester, had set an example of employing influence and wealth in establishing schools, and patronizing learned men. They had even sought to impart to all around them the same impulse, and thus to convert their palaces (as it were) into high schools for polite literature. All this was done by Wolsey also, to an extent and in a manner, which proved at once the immensity of his resources, and the lofty standard of his rather ostentatious munificence: nor did he disdain to advance the cause in other ways, as, for instance, in the treatise addressed to the Schoolmasters of England, in which he exhorted them to initiate their pupils into *this*

*An inordinate lust of power does not necessarily exclude nobler motives. I refer my readers, with regard to Wolsey's connexion with the Universities, especially to Fiddes and Grove, on account of the passages from Wolsey's correspondence contained in them. Howard's Wolsey (London 1825) is also valuable in this respect.

most elegant literature. But we must return to the Universities, Wolsey's great scene of action in this respect.

§ 125. *Fox and Wolsey, rival Patrons of the University of Oxford.*

Even in the Universities one of his fellow Prelates had preceded him. To the venerable Fox is due the honor of having been first to establish a great academic foundation *expressly* to promote the Classics. To this intent, he founded at Oxford, in 1516, Corpus Christi College, for twenty Fellows and twenty stipendiary Students, and endowed it with three Professorships, for Greek, Latin, and Theology. The very names of the men, whom, partly from the Continent, he introduced into this establishment;—(men such as Luis Vives, Krucher, Clement, Utten, Lupsat, and Pace;)—sufficiently prove that he really intended to provide for this newly awakened branch of learning a powerful organ, under the orders of the Church.* In fact,

* According to Warton, it is true, there existed in Christ's College, Cambridge, as early as 1506, a Lecturer who was to teach Logic and Philosophy, and also to give explanations from the works either of poets or of orators. Fox had originally meant to found a great Monastery, but was dissuaded by his friend Oldham, with the words: "Why should we build houses for Monks, whose downfall we ourselves may yet outlive. No: let us rather do something for the cause of learning, and for such men as may be useful to State or Church by their erudition." As far as regards the lecturer in ancient literature, it is expressly stated in the Statutes: "If ever *barbarism* should bud forth, let him with all his might extirpate it from our hive."

nothing was left for Wolsey, unless he renounced all ambition of this kind, but to throw previous establishments into the back ground by the magnificence of his own.

Fox was Wolsey's most dangerous rival in the favor of the King, and still more in the good opinion of thoughtful men both in the Church and in the nation: and just at the time when Fox put forth his generous benevolence in Oxford, Wolsey's relations with the University were assuming greater importance. It can scarcely be doubted that it was in great measure this that spurred him on. The University, however, had just then the most urgent motives for seeking in every way to win such a patron. Beside the direct influence of the German reformationary movements, there had prevailed for many years, in England as elsewhere, an uneasy spirit, the efforts of which were by no means solely directed toward spiritual freedom and heavenly treasure, but most decidedly towards every kind of worldly goods. A rich and weak Church appeared to all craving appetites like a stricken deer, the easiest and most desirable prey: nor could the Universities, which had so often enjoyed the advantages of a semi-ecclesiastical character, in this crisis avoid community of danger. The first opponents with whom they had to contend, were the Corporations, the citizens, and the rabble, of the University Towns. All the old points of contention were again raked up: the privileges of the University

were again attacked, and with weapons of every sort. Even had the numbers and the physical force and courage of the Universities been as great as in the old times, the violent scenes of the fourteenth century might now recur: indeed the Wells's and Berefords had admirable representatives in Alderman Haynes and other popular leaders.* The Universities, therefore, less prepared than ever to maintain a warlike opposition, sought on every side protection from the mighty of the land.

§ 126. *The University of Oxford, in dismay at threatening storms, gladly accepts Wolsey's protection.*

During the stormy periods of the fifteenth century, at a time when Warwick gained the name of King-maker; there was no King *in fact*, but only Pretenders; whose protection, (had they been at leisure to protect any beside themselves,) might at any moment have proved ruinous. In those times the Universities had sought to secure the less legal, yet more effective protection of Nobles and Prelates. Hence the custom arose of choosing for Chancellors of the University men of rank so high that the office appeared as one of mere general patronage;

* Wood gives accounts of these matters under the date of 1517 and the years immediately before and after. Haynes, among other things, availed himself of the quarrels between the Benedictines and the University, and gave weapons to the former, in order to attack the Vice-Chancellor and Proctors. I cannot here enter into details.

while the current business of it was performed by a substitute. The same thing occurred with respect to the post of Seneschal of the University. All this, however, did not appear sufficient, against the storms which collected during the sixteenth century; particularly since the Crown had emerged from the conflict more powerful than ever, insomuch that every thing appeared now to depend upon the opinion or caprice of the King. Henry, moreover, had doubtless a dim consciousness that the possessions of the Church would shortly fall a prey to the times, and that in any case the lion's share was due to him. It became then a serious question whether the Royal hand would grasp the booty or not;—whether the King, (should he desire to meddle at all in such matters;) would protect the Universities against attack, or would rather leave matters to take their course, calculating that the hunted deer must be at last driven into his nets. All depended on gaining over the wavering mind of the King; and this, (as appeared daily more and more clear,) was to be effected by Wolsey alone. Thus it need not seem strange, that, as soon as Wolsey evinced his readiness to serve it, the University resigned itself unconditionally into his hands. Wareham, Archbishop of Canterbury, then their Chancellor, was no more thought of: Wolsey quite usurped his sphere of influence, as Patron of the University. Cambridge also sought to stand on like terms with him by choosing him (in the year

1514) for its Chancellor: but Wolsey, for reasons unknown, declined the honor, and appears, in general, to have had less regard for Cambridge, bestowing his favors almost exclusively on Oxford.*

§ 127. *Wolsey obtains for the University a New Charter from the King.*

A decisive step appears to have been taken, on the visit with which Queen Katharine honored Oxford in 1518, accompanied by Wolsey; while the King stayed behind with his Court at Abingdon; as though still indifferent to the University. Wolsey, after closer enquiries, declared in the Academic Convocation, that he would do nothing and answer for nothing, unless the University would commit itself *entirely* to his direction. The University accepted his terms, and at once delivered into his hands all its Charters and Statutes, to be made use of at will and altered if necessary: in return for which he undertook to plead their cause with the King. The result proved, that

* The accounts which we have found relative to these matters are in great part contradictory and obscure. It is very certain that he never accepted the post; and when we find Chalmers and even the *Biographia Britannica* asserting that he filled the office, we can but look upon it as one of the numerous negligences of this kind in authors. According to the catalogue of Cambridge Chancellors in Parker, Bishop Fisher was elected Chancellor several times from 1504 to 1514, and then for life — doubtless in consequence of Wolsey's refusal. I refer my readers to Fiddes (ii. p. 213) and Howard (pp. 94 and 95): as far as regards Fisher to the "Anglia Sacra," (i. 382.)

this confidence was not misplaced. Wolsey, after keeping the documents for about four years, thereby causing no little uneasiness to the University, restored them in 1524, together with a new one, which he had obtained from the King, confirming all their earlier privileges and in many points making them still more favorable and decisive. As one result of the mighty Prelate's protection, the townspeople now felt the need of greater caution and compliance toward the University.

§ 128. *Wolsey plans and begins* CARDINAL COLLEGE, *Oxford, and a School at Ipswich.*

Not content with having thus secured what already existed, Wolsey now took measures for new creations of his own. Already in 1518 had he made arrangements for appointing a Professor of Rhetoric and of Greek at the University; and he appears, for a time, to have meant to found University Professorships on a large scale, and to build University Lecture-Rooms.* But this intention must have been soon laid aside; as we find no farther mention of it. As a sort of compensation, he undertook to found a College upon such a scale, as to be able, by itself, to form as it were a

* That Wolsey had had plans of the kind appears by the address of thanks from the University in 1520 (v. Wood). But we hear nothing more either of these projected Professorships, or of the one founded in 1518.

R.W. Bulk del. Lowes Dickinson lithog. Printed by C. Hullmandel.

CARDINAL WOLSEY.

Founder of Cardinal College now Christ Church Oxford.

From the Portrait in the Bodleian Library Oxford.

University, for cultivating the new literature in the service of the old Church. At all events, it was destined to throw into the shade every thing which Christendom had as yet possessed in educational institutions.* How strange then, how significant is it, that the very means by which he sought to rear these new props of the Church, should have so eminently contributed to hasten the fall of the old building! It is well known, that the confiscation of several smaller ecclesiastical endowments, for the benefit of Wolsey's College, was made a precedent for the subsequent great spoliations of the Church; although, in this instance, every thing was done with the approval of the Roman Pontiff, and absolutely none of the rights and ordinances of the Church were violated by it. Like cases had also occurred in earlier times; but just now, it was an extremely hazardous measure, even for a friend and master, to move but a stone of the tottering building.

Be that as it may, in the year 1524 and 1525 no less than two and twenty Priories and Convents were done away with. Their revenues, amounting to two thousand pounds a year, were, by Papal bulls and a Royal privilege, bestowed upon a College for secular clergy, to be erected in Oxford under the name of *Cardinal College*. The number

* For the history of Wolsey's foundations in Oxford and Ipswich, I refer my readers to Wood, and Wolsey's Biographical Historians. Documents may be found in the Monasticon, in Rymer and Wilkins.

of its members was to amount to sixty Canonists and forty Priests; whose chief duty, beside divine service, was to consist in various academic studies, but especially, in classical and biblical Philology, and in giving instruction. For the latter purpose the College had, attached to it, ten endowed professorships:—in Latin, Greek, and Hebrew; Theology, Canon and Civil Law, and Medicine. Beside the posts of the actual Canonists, a certain number of subordinate situations, stipends, &c., were also to be founded, so that the members of this Institution would have been not less than a hundred and sixty. Lastly, Wolsey founded, at the same time, a great school at Ipswich, to be connected with his College, nearly as Wykenham's School at Winchester with New College, and Eton School with King's College. The first stone of Cardinal College was laid in 1525 by Wolsey himself, after which the building proceeded rapidly. In the first year alone its expenses, (which Wolsey drew from his own resources,) amounted to about eight thousand pounds; at that time an enormous sum. The Kitchen was completed first, and whoever has seen it, cannot be surprised that its size and splendor gave rise to a good deal of mockery among the envious. "He began with a College, and ended with a cook's shop," was the [Latin] sarcasm of some one. A more serious meaning is to be found in the following allusion to his diverting money from other corporations to the

service of the College:* *That house shall not stand, founded by plunder: If it fall not, some other plunderer shall get it.*

The buildings rose on the site of the ancient Abbey of St Frideswide, whose beautiful Church was to serve as Chapel to the College. Wolsey, meanwhile, sought far and near for men worthy of being installed in such a dwelling, and capable of cooperating in so vast a scheme. He engaged at last Tyndal and Frith from Cambridge; Vives who had long taught in Oxford; and, from the Continent, Johannes de Colonnibus; Nicholaus de Burgo; Petrus Garcias de Lalo; Niclaus Kratzer, the Bavarian Mathematician; Mathœus Calpurnius, a Greek; and several others; and the completion of his gigantic projects, both as to Oxford and as to Ipswich, was shortly expected, when, in the year 1528, his sudden fall brought the whole to a stop.

§ 129. *Remarks upon Wolsey after his fall.*

Whatever may be said about Wolsey's demeanor in misfortune, it is but just to remark that almost to his last moment, solicitude for his Oxford foundations most frequently and most deeply occupied his thoughts. The earnest and touching letters upon this subject which he addressed partly

"Non stabit illa domus aliis fundatâ rapinis;
Aut ruet, aut alter raptor habebit eam."

to the King himself, partly to Cromwell, (the only one of his many friends and admirers who had remained faithful to him,) will be a proof, as long as his name exists, that he was capable of really great and noble feelings.*

I cannot resist the temptation of quoting here, Shakespere's immortal testimony concerning Wolsey and his institutions; which, (Henry VIII. Act v. Scene 2,) independently of its poetic worth, is pregnant with historical truth:—

"This Cardinal,
Though from an humble stock, undoubtedly
Was fashion'd to much honour. From his cradle
He was a scholar, and a ripe, and good one;
Exceeding wise, fair spoken, and persuading:
Lofty and sour, to them that lov'd him not;
But, to those men that sought him, sweet as summer.
And though he were unsatisfied in getting,
(Which was a sin,) yet in bestowing, madam,
He was most princely: Ever witness for him
Those twins of learning, that he rais'd in you,
Ipswich, and Oxford! one of which fell with him,
Unwilling to outlive the good that did it;
The other, though unfinish'd, yet so famous,
So excellent in art and still so rising,
That Christendom shall ever speak his virtue.
His overthrow heaped happiness upon him;
For then, and not till then, he felt himself,
And found the blessedness of being little:
And, to add greater honours to his age
Than man could give him, he died fearing God."

* These letters may be found in "Ellis's Letters relating to English History," &c. Second series, ii. 17 and sqq.

As far as regards the Christian resignation of Wolsey after his fall, I must confess that from all other evidence there would be every reason to doubt of it, did not Shakespere testify in favor of it.

§ 130. *The Question of the King's Divorce is brought before the Universities.*

But in spite of the intercession of Cromwell, and other highly esteemed and well meaning men, the King for many years left the fate not only of Wolsey's institutions, but of the Universities themselves, very doubtful. The mediation of the fallen favorite, had certainly given to these bodies a greater importance than before, in the King's eyes and thoughts. Nor indeed was Henry VIII. incapable of taking a higher and more serious view of the question; so that the attention which he had paid it merely for Wolsey's sake at first, soon assumed more or less of a political character.* But when the King's favor for Wolsey had changed into aversion, the danger became imminent, that the Universities would share with their fallen patron in the effects of the Royal caprice. New dangers moreover arose from the real importance of the matter itself, in the light in which it was regarded by the King. For he, after Wolsey's

* Cambridge received the honor of the first Royal visit, under Henry, in 1522.

fall, (in part, no doubt, occasioned by the crisis,) hurried towards a point, in which, except by a breach with Rome, he could not obtain the gratification of his passions. The profitable favor, the destructive anger, of the King, were suspended on the condition of advocating his divorce from Katharine, without scruples of conscience or honor. The Universities saw themselves the less able to evade the alternative, the more the King recognized their ancient national importance, (of late again exalted by Wolsey,) and their weight in public opinion. In the actual result, Oxford and Cambridge,* with the more important Universities of the Continent, were desired to give their opinions upon the subject of the divorce: and the proceedings which followed, are, we grieve to say, a shameful stain in the History of the two Universities. It may be, that many of their members were already actuated by an unscrupulous *policy*, that sought in any way to advance either Protestantism or Classical Literature. Be that as it may; it is certain that

* A most lamentable representation is made of the embarrassment and fear of the University at that period, in an account given (in 1529) by the [Cambridge] Vice-Chancellor, of his visit to Court. Although Cambridge had shown itself only too ready to give in, yet the King "*with the Pope sticking in his throat*," was not satisfied, and public opinion, at the same time, censured its compliance most bitterly. "And on the morrow," says the Vice-Chancellor in conclusion, "I departed from thence thynking more than I did say, and beyng glad that I was oute of Courte, wheare many men, as I dyd both here and perceave, dyd wonder at me. And here shal be an ende for this tyme of this fable. All the worlde almoste cryethe out of Cambridge for this acte and specially on me," &c. (Lamb. 24.)

there, as well as throughout all Catholic Christendom, and at all the other Universities,* the majority were convinced, that the wishes of the King were contrary to all the rights of morality, as well as of religion. That an opinion was nevertheless given in favor of the divorce, can therefore be explained only by supposing a preponderance of worldly and selfish considerations, and a most lamentable want of moral dignity. True; the Universities, had they done their duty, would have had to fear the worst from the King's wrath; but this can in no way justify their despicable abandonment of truth. It is a most wretched error, an utterly false estimate, that a body to which intellectual interests are entrusted,—at all more than an individual man,—can or ought to preserve its material life and its immediate efficacy, at the expense of moral worth and conscious uprightness. By this means, in fact, the very thing is lost which alone is worth the sacrifice of life. It forfeits exactly that, from which it derives its highest sanction, its best and most vigorous powers. What it is that duty demands from an individual or from a corporation, must never be determined, by inquiring, what dangers threaten it from powers which lie beyond the circle of its moral nature. But the truth is, that institutions which are representative of the public

* We do not speak here of the judgment delivered, but of the means by which it is well known to have been obtained, and which sufficiently prove what was the *real* conviction of men's minds.

sentiment, so long as they preserve an unblemished integrity, may well defy the terrors which cowardly self-interest conjures up. Exalted by conscious rectitude, they have a far greater power of life within, than has passionate and blind impulse. Even their outward prosperity can be injured only temporarily, as long as they retain spiritual vigor. Should any one be disposed to think that I am laying too much stress on the whole matter, let him reflect that the Universities were formally and professionally called upon to give judgment in their own proper vocation; and the passing of a false sentence was a direct abuse of learning and desecration of the bodies themselves. Two verses of Juvenal* are full of deep meaning: *Deem it to be the height of abomination to rate your breath higher than honor; and to save life by losing the sole end of living.* What would have followed, if, instead of truckling to the King's lusts, they had boldly stood up for Religion, Morality, Learning and positive Right;—how the example might have influenced the public *morale* and hereby the course of political events, we cannot certainly tell; nor yet can those, who choose to look upon the very worst consequences as certain. At any rate, the fact is, that this immoral cowardice has ever since entailed its curse upon the spiritual and intellectual life of these Universities. Much trouble and distress

* "*Summum crede nefas animam præferre pudori*
Et propter vitam vivendi perdere causas."

henceforward were the schools of learning to suffer. No wonder. They had cringed for Court favor,—they had meddled with the selfish intrigues of the powerful; they had taught the possessor of physical force, what unreasonable demands *he* might make, and what convenient tools *they* might become.

It is true, that at that time, no worthier sentiments were to be found in *any* quarter: everything bowed down before a savage despotism. In fact, the gratification of the King's desires, was rendered possible, only by the cowardice or self-interest completely prevailing among the higher circles, especially in the Church. All this may palliate the conduct of the Universities, but certainly cannot justify it: nay, these bodies, above all others, were in duty bound to keep free from the corruptions of the times. At the same time, for their honor, it must be stated, that, though the case was eminently and unprecedentedly hazardous, yet (at least at Oxford) this despicable decision was obtained in such a way only, that at most a *passive* responsibility fell upon the majority, and that, only after a long and honorable opposition. The details of the proceedings at Cambridge are not known, but a more minute account of what occurred at Oxford, may not perhaps be superfluous.

§ 131. *Detail of the proceedings at Oxford.*

The position of the Universities was certainly very critical; for Wolsey's fall was the signal for all their enemies to recommence the most violent attacks upon them. The Town Corporations and Townspeople were now fuller than ever of hope, by fear or force to strip the Universities of all privileges which touched the pride or interests of the citizens. But besides, more and more was yearly to be dreaded from the invading reformationary, or at least, anti-catholic feelings, which naturally looked upon the Universities as nurseries to the ruling Church. Indeed it appeared, as though only decisive aid from the Royal right and might, could rescue them. But at that time, as so often, a just cause meant — Court favor. The Royal *dis*-favor had but to neglect them; and the greatest injury, if not total ruin, appeared unavoidable. Indeed the King himself would doubtless have used the most violent remedies, if the Universities had not yielded to his will: nor can we imagine there was any lack of ready go-betweens, of kind friends to plead with those, whose opinions were of importance; friends, who would point out the dangers of resistance, hint or invent loopholes and backdoors for tender consciences, with other more or less plausible excuses for compliance, as, "the opinions of other Universities," &c. Such

intrigues had already won their end at Cambridge, when a solemn convocation was called at Oxford to deliberate on their sentence: but still no majority could be found to act the pander by Law and Theology. The most determined opposition was shewn more especially *by the graduates in Arts, and the younger members of the University,*— an opposition which sprang from the sound freshness of their feelings. The elder members, on the contrary, were carried away in general by that weakness or self-interest, which assumes the form of maturer wisdom: although men of this age, (it might have been supposed,) would be forced by conscious worth, worthily to close a long and honorable career.* Hereupon followed a letter in the King's own hand to the Vice-Chancellor, full of violent reproaches and threats, commanding him instantly to propose the question anew. The former manœuvres were immediately renewed, and the Bishop of Lincoln among others, was employed in this work. Nevertheless, several attempts indirectly to obtain a majority, utterly failed, and the excitement only increased: until at last there was no resource remaining but, *in violation of the statutes and rights of the University, to exclude the graduates in Arts from the Convocation.* They

* Our honorable Wood expresses himself in the following dry manner: "The Doctors for the most part, induced either by the hope of reward or by fear of punishment, were for yielding assent in favor of the King: *but the younger members could by no method be induced to agree with them.*"

thus ensured a majority of the other faculties, for an opinion favorable to the King.*

§ 132. *The King long keeps the Universities in suspense concerning their Privileges.*

Under these circumstances, it was impossible to expect lively gratitude from the King; and, in fact, the position of the Universities was for many years very uncertain. Henry, it is true, soon after the events above detailed, came to a determination respecting Wolsey's establishments, which secured to the University their preservation for a time at least, without great diminution of the original scheme. But the fame and name of the College, the sole possession left to the fallen favorite,— was too much for the King to grant him: for Henry called it after himself and treated it as a new foundation. Yet we may conclude, that he in part felt sympathy with the intellectual movement: for he appointed to the College offices several of the more distinguished Classical Scholars of the day, such as Roper, Croke, Cheke, Leland, Corin, Robins, and

* The judgment delivered is of the date of the 8th April, 1530. Wood says, that the decision of the University of Paris was given to the Oxford Convocation as precedent: but this could only have been the decision of one of the Faculties; for the negociations with Paris lasted until July. There also every possible intrigue was resorted to, and yet the favorable opinion, which the King at last obtained, was subscribed by no regular authenticated majority, and was also got by surprise and cunning.

Wakefield, the restorer of Hebrew studies. A visit also with which the King honored Oxford in the same year, may be regarded as a proof, that his anger was somewhat appeased; although in spite of the efforts of the University to celebrate his presence with due honor, he did not seem very gracious. The public measures taken by him about the same time, were not of a nature to soothe the troubled state of feeling. However, after repeated complaints concerning the quarrels between the Town and the University, the King commanded both Corporations to give back their charters into his hands, reserving for himself to decide concerning the future. The same took place shortly after with respect to Cambridge. He at last determined in favor of the University and of its existing, well-earned rights: but the charters remained until 1553 in the King's hands, so that the future existence of both Corporations, especially of the University, was held in the balance for ten years. But long before this, it appeared, with what intention the King had so long kept the University in suspense; and on what conditions alone it could hope to obtain a favorable decision from him.

§ 133. *The Universities, at the King's command, declare for the Separation from Rome; in* 1534.

The long-threatened rupture with Rome took place in May, 1534: the schism was declared, and the Universities were called upon to give their concurrence. Since the transactions of 1532 the reformationary opinions had made progress, and many of the most respectable members doubtless entertained a sincere conviction of the futility of the Papal Power: there could be therefore no doubt whatever how the Heads of the University would now act. Yet unquestionably the majority of the academicians, especially in Oxford, acted against their own convictions. The general dread of the King's anger induced them to give the subscription, required from each separate member as from each College, to the opinion, which was drawn up by thirty Theologians and Canonists.

The King, at all events, had better reason this time to be satisfied with the Universities; and the effect proves that he was by no means deficient in intelligence and judgment, as long as his coarse and violent passions were not called up. To ascribe all the merit to any one person at the King's side, appears unjust; but *Cromwell's* influence was undoubtedly not without its effect. A part of the merit must fall back upon Wolsey; for Cromwell, although more ready to adopt violent measures with

regard to the Church, entered in all other respects into the views of his former patron and master.*

§ 134. *Visitation of the Universities in the King's name, in* 1535.

One of the first acts of the Crown, as inheritor of the Mitre, was to make a thorough *Visitation* of both the Universities, which the Archbishop of Canterbury undertook in the name and as representative of the King, in the summer of 1535. The principles upon which this was done, were twofold. In the first place, it was considered necessary to ensure an ecclesiastical conformity, so desirable in that stage of national culture. Arbitrary indeed enough was the state of things, when the Papal authority was annulled, and Church Dogma was yet to be maintained with the greatest strictness: and the consequences of so false a position were unavoidably felt in the regulation of the Academic affairs. The second cause which had acted as a stimulus to this Visitation, was the strong sense entertained of the superiority of classic culture to the intellectual stagnation that had preceded it. That, by the reaction, some unfairness

* With respect to this point I refer my readers to the letter of one of the Visitors of the Colleges to Cromwell, contained in "Ellis's Letters illustrative of English History" (2nd series, ii. 60). This letter shows plainly what Cromwell's views on the subject were, and that he took an extremely active part in what was done.

should be shown toward the older branches of study, was but natural: nor can it essentially lessen the merit of the reformers of learning. This Visitation then directed its attack at the same time against *Barbarism,* (ignorance of the Classics,) *Superstition,* and *Heresy.** The true doctrines of the Catholic Church were as urgently recommended as the study of the classic languages and authors: the warnings against the recognition of the Papal Supremacy were not less strong than those against the scholastic barbarism of the previous age. It deserves especial notice, that whereas Duns Scotus and his followers could find no favor, Aristotle was recommended and enjoined to be read along with the other classic authors, in the original language. In a religious point of view also, a certain freedom prevailed: for Melancthon's (philosophical) writings were recommended;† and such religious duties as took too much time from study or injured the health of the scholars, were in part done away, in the Colleges and elsewhere. At the same time, the study of the Holy Scriptures was strongly enjoined, more especially on Theologians. That the Canon Law, on the contrary, was altogether banished, was a natural consequence of the rupture with

* I avail myself here, principally, of Fuller's account of the Visitation to Cambridge, which is in part supported by documents. Wood is not very satisfactory upon the subject: but still there is no doubt that, upon all essential points, the same principles were acted upon at both Universities.

† Rodolph, Agricola, and Trapezuntius were recommended at the same time with him.

Rome. At all events it is impossible to avoid seeing that the Reformation progressively established itself on every side, and, even against the will and intentions of the King, was promoted by his very efforts to prop up this monstrous Royal Papacy.

§ 135. *University Professorships.*

In carrying out these principles, especially as far as regarded the course of study, it was requisite for the Visitors to consider both the University as a whole and the separate Colleges as its parts,— or rather, the strictly academic, and the collegiate studies.

In the case of the Colleges fewer difficulties were met. Sanction only was needed for that which had already developed itself, in some Colleges by voluntary agency, in others in obedience to statutes of modern date. All the Colleges were now enjoined, as far as their revenues allowed, to establish Lectureships for the Greek and Latin languages, Theology, and Civil Law: and the pupils of poorer institutions, were not only permitted, but required to attend these lectures. The latter arrangement, as may be well supposed, could not do otherwise than entail a variety of evils; and, in fact, we meet with no mention of it afterwards.

This may have given occasion for doing something in favor of lectures open to all: other motives

however, concurred. The voluntary agency of the Masters in College lecturing, always very confined, had of late almost entirely ceased. None, not even the most distinguished Teacher, could exist upon the fees paid by his pupils.* The intellectual excitement of the fifteenth century was much more limited in *extent* than that of the twelfth and thirteenth. To reanimate the old system at will, was indeed impossible, since it depended upon the *number* of students,—but, beside this, in times so critical, all voluntary agency may have seemed dangerous. Yet no one could wish for an entire abandonment of University teaching, in contradistinction to that of the *Colleges*. The importance which the academic *Degree* possessed in the opinion of the times, (and by reason of many arrangements connected with it,) must itself have been decisive upon this point. In fact, the path to be pursued was already pointed out and opened by the Professorships which the Countess Margaret of Richmond had founded. We may see clearly, however, that there was no great zeal to follow her steps, at least in those who had the means in their hands: for the King made many vain attempts to put, first upon the Universities,† (which really were unable,) next upon the Chapter of Westminster, the burthen

* They were to have been allowed the tithes and first-fruits; and in return, to endow a Theological Professorship. The affair, however, fell to the ground again: as did also an attempt to persuade the Colleges to tax themselves for the purpose.

† We have sufficient proof of this in the complaints of Erasmus when at Cambridge.

of endowing certain Professorships; and only at last decided to apply to this purpose the smallest mite of his rich booty from the Church. And thus in Oxford, in the year 1535, and in Cambridge, in the year 1540, five Professorships — of Theology, Greek, Hebrew, Civil Law and Medicine — were established and endowed with a yearly emolument of forty pounds. For Canon Law there was no place after the rupture with Rome. As far as regards Philosophy, it would seem that in Oxford the whole subject was to be included in the sentence passed upon the Scholastics: — a matter in which Reformers and Classicists were agreed. At least no mention is made of anything being done for the furtherance of any *other* branch.*

The contrast in this respect which even then arose in Cambridge, and afterwards unfolded itself in a much more important manner, is very remarkable. In Cambridge, as early as 1524, four Professorships had been founded by Lord Chief Justice Reade,— for Mathematics, Philosophy, Rhetoric, and Logic; although the endowment of them was scanty,— so scanty, that the duty of lecturing became in later times quite null. Yet it is hardly possible to doubt

* In some of the Colleges (Magdalen, for instance) the Visitors found Chairs of Philosophy: and it is not said whether they were done away with. But as they probably were devoted to Philosophy only in the more limited sense of *Logic*, and served perhaps to prepare the scholars of the College in their scholastic exercises for their degree,— in the same way as we have found was the case in Balliol College; we may very well conclude that under the circumstances of those times they had come to be not much more than mere sinecures.

that from early times there was a predisposition to mathematical studies in the academical population of Cambridge; and that this had a direct connexion with the flourishing state of these sciences there in the reign of Elizabeth, and still more decisively in later times. What is the antiquity of the Barnaby Lectures, (so called, because the election falls upon St. Barnabas's day,) cannot be exactly determined. If, on the authority of the Cambridge University Calendar, we were to assign a much earlier origin to them, it would seem to prove decisively such a predisposition to Mathematics. Even if the lecturing was in early times, as now, a sinecure, yet the annual election would prove a stimulus to mathematical study; since some ostensible qualification must have been necessary. But, I must add, I hope that no one will charge me with regarding the Barnaby Lectures as the well-spring of that flood, which Newton poured down upon Cambridge.

What the Lord Chief Justice Reade intended by his lectures in *Philosophy* and *Logic*, I cannot pretend to decide: but considering the spirit of those times, we can hardly suppose it was the old speculative philosophy. When now we see Cambridge a little later flourishing as the principal organ of that which the English up to this very day call Philosophy, we cannot refuse to acknowledge a certain relation between this fact and the above-mentioned institutions; or at least with the spirit which determined them.

The academic Professorships instituted about this time at Oxford and Cambridge, together with those founded by the Countess Margaret of Richmond,* became the main organ of instruction in the new Universities, in contradistinction to the voluntary system of the teachers in the ancient Universities, who had to rely upon their own exertions for their maintenance. Yet the new Professorial system was itself in contrast with that now established in the Colleges. Indeed the College Tuition had already reached its zenith, whilst the University Lecturing was just in its infancy. Now as the whole subsequent period was very unfavorable to all extra-collegiate study, we cannot be surprised that the Colleges never permitted the University Professors to assume their right place, and occasioned the Professorial endowments by degrees to sink into mere sinecures. That their possessors belonged almost exclusively to the Colleges, was connected with this whole course of things, alternately as cause and effect.

* To the same Benefactress the University is indebted also for the first examples of endowed academic sermons; for she founded in 1568 a benefice of ten pounds a year, the holder of which was to preach certain [Latin] sermons, called *conciones ad clerum*. We must not forget also the Professorships of Medicine founded by Lynacre in 1524 — two in Oxford, and one in Cambridge; although they also after much disagreeable opposition at last continued to exist only as mere sinecures. The Oxford ones were given as lectureships to Martin College (v. Wood ii. 58). Of the Cambridge one we find no further mention. The Royal foundation-privilege may be found in Rymer.

§ 136. *Causes of the failure of the Visitation to do good.*

Why the exertions of the Visitation in 1535, and the consequent increase of the material means of instruction at the Universities, bore no very profitable or gratifying fruit either within or without the Colleges; may be easily explained by many reasons. As the Schism worked on and on, it of necessity exercised great influence upon the resources and position of the Universities. Not only were their revenues plundered or clipped, but the caprice of the supreme power left it for a time in doubt, whether they should exist at all, as far as their estates and property were concerned. The abolition of the Monasteries and the transfer of an immense mass of ecclesiastical property to the Crown, to private persons or secular Corporations, must have acted directly upon the Universities, first, to diminish their numbers to a minimum; next, to give over to the greatest misery many of those who remained. The numerous Academic schools of monks, naturally shared the fate of the Monasteries, to which they had belonged. Scholars and teachers were alike driven out and left to their fate. Those who had been supported at the Universities, entirely or in greater part, by benefactions from Ecclesiastical Corporations or individuals, were deprived of them. The greater part of these

poor creatures left the Universities and sought in other ways either by labor, or as vagabonds, to win a livelihood. Others wandered about the Universities in extreme distress, living on casual alms, and lodging in the half ruined chambers of the Monastic buildings or in the long-deserted Academic Halls.* Large claims must of course at this time have been made on the benevolence of the Colleges. Their means, however, were already much lessened by the lessening numbers of the boarders who contributed to their revenues. They very soon, too, saw themselves threatened with the same misery as they were called upon to alleviate. Their existence, as well as that of the Universities themselves, was threatened on many sides, and constantly placed in doubt. It was, in fact, long undecided whether these semi-monastic institutions were to have the fate of the Monasteries or not. Great terror was occasioned especially by a measure, perhaps laudable in itself, which took place in 1537; when a Royal Commission drew up an inventory of the possessions of the Universities and their Colleges. The hands of the Courtiers had long ached for this booty: and no

* Evidence of this may be found in Wood in plenty. Whether Learning (in a more elevated sense) really lost much by being deprived of these her servants, is another question — one, certainly, which is generally answered far too lightly by visiting every thing ever so remotely connected with the Monastic institutions with one unconditional condemnation. People forget, however, that at all events (as we have seen) in England many of the Monasteries took a very lively part in the *new* Classics.

means were left untried to drown the voices of those who appealed to the magnanimity of the King (as there was no longer any thought of *right*) entreating that in favor of nobler interests he would preserve these organs of science.

§ 137. *The crisis of danger passes, and Henry founds Christ-Church (College) with Wolsey's endowments.*

The danger appeared at its acme in the month of May 1545, when the College founded by Wolsey, adopted afterwards by the King, and named after himself, was all on a sudden suspended, its members dismissed with a very moderate stipend, and some of its possessions immediately applied to reward the services which under such a Prince and in such times, were likely to be considered the most meritorious.* The hungry pack of courtiers and flatterers, of high or low degree, seemed to have heard the signal, to fall upon and devour the tempting and bleeding quarry. But unexpectedly, the nobler, not completely corrupted, nature of the Huntsman prevailed over his baser part. The

* I refer any of my readers, who may consider the expression "pack of hounds" too strong for these courtiers, to the account given by the excellent Bishop Parker of his audience with the King for the purpose of soliciting the confirmation of the Privileges of the University. He says, "We answered, &c... whereupon the King sayd to the Lordes, that 'pety it wer these londes schuld be altered to make them worse,' at which wordes some wer grieved, for that they disapoynted certain open mouthed wolves, *lupos quosdam hiantes*," &c. (Lamb. p. 60.)

greedy hounds were flogged off with due contempt: and the corporeal preservation, at least, of the Universities and their Colleges was promised by Royal word, and guaranteed by Royal deed. The expressions of the King, upon this occasion,* are too characteristic to be omitted here: the more so, as History has so few noble words or deeds of this King to inscribe upon her pages. "Ah! sirrahs," said he, addressing himself to those who had always urged him to do away with the Colleges, "I perceive the Abbey lands have fleshed you and set your teeth on an edge to ask also for those of the Colleges. While I was only of a mind to do away with a sinful state of being in the Abbeys, you would put an end in the Colleges to what is good and right. But I say unto you, sirrahs, that no land in England appears to me so well bestowed as that which is given to the Universities. For by their maintainance the best care is taken for the regimen of our kingdom, when you are gone and rotten. I therefore counsel you, however dear your own profit may be to you, not to follow up this track any further, but to content yourselves with what you have; or seek hereafter your profit upon honorable ways: for I am no such enemy of learning, that I should diminish the revenues of one of these houses even a penny, of which they might stand in need." The partial restoration of Wolsey's foundation upon a new form and with a

* Holinshed.

new name, was, as it were, the sign and memorial which was for ever to commemorate the happy escape from this terrible crisis. Three years before, the new Bishopric of *Oxford* had been instituted, and the rich Abbey of Osney near Oxford given to it for Cathedral and Chapter. But this arrangement was now again done away with; and the Chapter and Episcopal See of the new Bishopric established in Oxford itself, out of the remains of Wolsey's foundation and buildings, and some other ecclesiastical lands, together with St. Frideswide's Church as Cathedral, under the name of "The Cathedral-*Church of Christ* in Oxford, by the foundation of King Henry VIII." This Chapter, consisting of Bishop, Archdeacon and eight *Canons*, was however, immediately incorporated with the University as one of its Colleges, and the duty imposed upon it to endow, out of the means placed within its power, three Lectureships — of Theology, Greek and Hebrew — and a hundred* Studentships to be filled at the choice of the College; beside Chaplains, Chorister boys, &c. This is the establishment now known under the name of "Christ-Church," which glories in Wolsey's memory in spite of his Royal enemy, and *partly* by means of later benefactions, (which were always applied in a manner worthy of the whole establishment,) *partly* by means of its peculiar double nature, as a Cathedral-Chapter and a College, has attained an uncontested supremacy

* [Qu. 101?]

over all institutions of the kind. This position is fully maintained by its whole exterior adornment; whereby it has earned a sort of right to lodge the Kings of England within its walls, whenever they visit Oxford. Cambridge also received at the same period similar proofs of Royal favor by the foundation, or rather the plan for the foundation, of Trinity College, the completion of which, however, was delayed by the King's death, and reserved for his daughter Mary.*

§ 138. *The tyranny of Henry blights all intellectual fruit.*

The outer framework of the Universities, there is no doubt, was thus secured, as far as regarded the storms occasioned by the SCHISM. But still we need scarcely call to mind that much was still wanting to arrive at a gratifying state of prosperity. We have already alluded to the transfer of Church revenues to secular hands, and the general insecurity of many of the possessions and sources of income connected with the Universities; a proceeding by which the Colleges too could not but lose

* The foundation document of the date of 1546 is to be found in Rymer. Nothing appears to have been done in the matter under Edward VI. It was brought into action first by Mary, who ensured it the possessions already intended for it, and others, besides, of very considerable importance; so that she may be very well looked upon as Joint-Founder. The foundation is for a Master, sixty Fellows, and sixty-nine Scholars.

greatly in a *pecuniary* sense, and be happy that they did not lose all. But there was also an *intellectual* languor, caused by the suppression of the monasteries; moreover, in other quarters the most distracting influences were at work, to blight the plants which in the first half of the reign of Henry VIII. promised so fine a harvest. Without meaning to explain every thing by one single event, we yet cannot but recognize that Wolsey's fall marks the era of decline.

How was it possible, in the midst of universal and increasing insecurity; when the violence and evil passions of the King broke out more and more immoderately; when all free religious movement, all free inquiry into the basis of religious belief, dwindled more and more away;— when the burning pile was lit for Papist, Protestant, and Enthusiast;* when the University of Cambridge saw two of its Chancellors, Fisher and Cromwell, perish on the scaffold; when, with the noble head of Thomas More, Virtue,† Religion, Wisdom and Learning appeared all together to perish; while the most contemptible and hateful passions not only had free play, but, by help of most impudent hypocrisy, obtained legal validity and form;—how was it

* Luther's *Theses* and other writings were condemned and burnt in Oxford and Cambridge in the year 1520.

† I do not know whether the *virtutem ipsam exscindere* of Tacitus has been applied by other writers to More; and, at all events, I commit no conscious plagiarism. The application is so evident, that it would be surprising if it has never been made before.

possible, we ask, for any freedom, peace, and liberty of the spirit to prevail, without which there can be no successful intellectual activity at the Universities?* How could the cheerful Muses of Athens and Rome find room in the midst of such disorders, especially when the Universities themselves were directly involved in all these doings of the times? Within their precincts, less than any where else was any voice left for free scientific inquiry, upon points bearing the least reference to the contested questions of the Church: nay, the pedantry of fanaticism, or of that still more disgusting fawning servility, which so often assumed its mask, contrived to force the most unessential or most extraneous matters into that same path. The Six Articles which the King (of his own full authority) put forth as the only scale of faith, were hardly in a greater degree the objects of the academic police and jurisdiction, than was the Reuchlinian† pronunciation of the Greek. The curse with which narrow spirits, when they attain power, destroy all life,—hating life, because it bears in itself

* Violent pestilences also at different times fell upon the University students, and interrupted all scientific progress for weeks and months; thus contributing to fix on that time a most unsatisfactory character.

† [Reuchlin advocated the method of sounding Greek according to the written accents, as the modern Greeks do. This beyond a doubt is the only correct way. But as the modern Greeks have naturally lost the nice appreciation of quantity, which their forefathers had, (who were used to sing poetry, not to read it,) *Erasmus* fancied that they were also wrong in their accentuation: and he has persuaded Northern Europe to pronounce *Greek* according to *Latin* rules of accent.]

the necessity of opposition and of contest;—the curse, (that is,) of anexterior and compulsory conformity, with which such spirits vainly think they have done and won every thing, whilst the smooth rind conceals only rottenness or paralysis beneath;—this curse, we say, began at that time to weigh heavily upon the English Universities.

A remarkable proof of the above was given in the conduct pursued by Bishop Gardiner, when Chancellor of Cambridge, in the dispute respecting the Greek and Latin languages.—Gardiner was in fact, one of those characters, which in such times prevail the surest, by their strange mixture of the apparently irreconcileable qualities of the remorseless party-leader, and the strict anxious rigorist; the tender man of feeling, and the dry calculator; the religious enthusiast, and the pliant courtier. This last quality indeed; upon occasions, amalgamates all the others into one *unbounded* devotion to the service and pay of the Sovereign, and even of all the mighty in the land. Similar instances are to be found, here and there, in our times: and it is most especially through the flattery of such servants, that the master finds it impossible to recognise what is truth and life, what mere dead form and word.—Soon after the publication of the Six Articles, Gardiner wrote to the Vice-Chancellor —after a serious admonition respecting the neglect of fasts—the following;—"Last year by consens of the whole University I made an ordre concerning

the pronounciation of the Greeke tongue, appointing paynes to the transgressors, and finally to the Vice-Chancellor, if he saw them not executed: wherein I praye you be persuaded that I wyll not be deluded nor contempned, I did it seriously and will maintaine it, &c. The King's gracious Majesty hath *by inspyracyon of the Holy Ghost composed all maters of Religion: whiche uniformitie I pray God, it may in that and all other maters* and things execute unto us and forgettinge all that is past goo forthe in agreement as thowghe there hadde been no suche matter. But I will withstande *fansyes* even in pronounciation and fight wythe the enemie of quiet at the firste entree."* In an earlier letter he says [in Latin] among other things: "*In short: spend not your philosophy about sounds; but take what is set forth to you.*".

We shall see that the *Reformation* afterwards found neither the will nor the means of getting rid of these evils, which the *Schism* had bequeathed to it, and, on the contrary, that all parties sought, by hateful means, which the basest personal interests made more hateful, to enforce their own views in the sphere of Thought, especially at the Universities. Finally, it must not be overlooked that the worst aspects and results of the Schism belong also to the Reformation, in the form which it assumed in England.

* Ellis's Letters illustrative of English History, 2nd Series, ii. 20.

CHAPTER VIII.

THE ENGLISH UNIVERSITIES DURING THE REFORMATION TO THE END OF ELIZABETH'S REIGN.

§ 139. *Comparison of the religious innovations of Henry VIII. with those of the reign of Edward VI.*

THE schismatic measures of Henry VIII. could not so easily have been carried, had not anti-Romish feelings already made much progress in the national mind. But there was another circumstance which precluded all serious and general opposition, viz., that the Catholic dogmas were to so great an extent retained in the new system. Yet quite as much as either of these causes, the thorough selfishness of the Lords, spiritual and temporal, favored the change: for as long as the King had earthly goods to bestow, noble hands and eminent talents would never have been wanting to him, even for the foulest work. The blood of Evangelical Martyrs shed by him, witnesses that this earlier

schism from Rome had no affinity with the Reformation. It was an instrument in the LORD's hand; but a coarse and foul one in very truth: nor can we be surprised, that the emancipation of the Anglican Church was not effected without injury and defilement.

Under Edward VI., with less rude violence, yet with no less of low self-interest, was the Church dragged along to the level of the Reformation. Whether *the Omnipotence of the State* be or be not a Christian or a Protestant principle, this is at any rate the form which Protestantism then assumed most distinctly in England. Political and worldly interests soon gained an entire preponderance over all questions of religion and of truth; with whatever sincerity the latter may have been pleaded at the beginning of the movement. In the last great political crisis of England,—the Revolution of 1688,—the chief watchword of the day* was drawn from the religious controversy; being a claim on the part of the Protestant Church to exclusive patronage by the State: and in the whole of the intervening time Protestantism was the centre on which all political movements turned. At the Revolution it gained its decisive victory: and at the same era terminates the external history of the Universities.

* ["No Popery."]

§ 140. *Disposition of the Regency toward the Universities, contrasted with Henry's.*

Henry VIII. had encouraged learning, both because he had some taste for it, at least in his better hours, and because of some presentiment, that his successors might need its defence against barbarism. But that he should personally need the alliance of the Universities, was a thought which could find no place in his proud mind. In a fit of ill humor, he might even have smashed their material framework to pieces, as he had smitten the Papal power, the Monasteries, and the noblest heads of his subjects. His cruel despotism was made irresistible, by the shameless servility of men, who sacrificed for their own aims all honor and all conviction.

Far different was the state of things under his successor. The statesmen of Edward VI. were guided by policy or self-interest, not by caprice or taste. They gave less assistance to learning; yet neither were they dangerous to the outward existence of the Universities. Hungry mouths enough there were, gaping after ecclesiastical property: but unshared booty of that kind was still to be had; and it was now recognized that the Universities were *not* ecclesiastical corporations. Besides, the King was but a minor; and some other support than his was needed by those who ruled in his name. Never indeed were the pretensions of mere self-interest

more barefaced than at this crisis; yet the co-operation of one of the great religious parties was practically indispensable. In a word, Somerset, Cranmer, and Warwick were forced to seek for adherents in the nation; nor could they fail to see the value of the Universities as their tools, after the lesson given them by Henry upon this double divorce, with his wife and with the Romish Church.

Of the men in power, those who, like Cranmer, could appreciate intellectual agencies, looked to render the Universities mere organs of their own views. They did not desire to plunder the academic funds, (though it may have been hard to keep back a few craving claws): they strove only to expel all opinions, studies, practices, and even individuals, obnoxious to the prevailing party, and to leave all the rest to take its own course.

§ 141. *Employment of the National Ecclesiastical Funds.*

As to the *lower* grades of popular instruction, there were many good intentions and decisions on the subject. In 1549, certain scanty remains of Church property which had escaped individual rapacity, were given by Parliament to found Free Schools and increase the incomes of the poorer Clergy. It is remarkable that Von Raumer, a Protestant, declares that even this was ultimately

snapped up by the Courtiers; while Lingard, a Catholic, believes that the intentions of Parliament were carried into effect, as far as regards Grammar Schools. Certainly the great Free School of Christ's Hospital sprang up at that time. Such institutions undoubtedly did much good, in a humble quiet way. As to profane learning,—want of capacity, in teacher and in scholar, there set the limits of attainment. The imposition of the new and purer doctrine was oppressive to individuals, but must have been beneficial to the mass; since it was in the latter case a question, not of intellectual belief, but of morally religious instruction: nor could the craving after freedom of investigation intervene among the vulgar, to turn the boon into a bane. But the case was widely different with the higher intellectual culture, to which freedom is an essential requisite: and even in that early period we already recognize the germs of a feud between the popular and the scientific elements of the new teaching: a feud which becomes fiercer in proportion as social or state policy fosters a popular, and neglects a scientific creed.

§ 142. *University Reform of* 1549.

A Royal Commission was issued in 1549, with full powers for a thorough reform of the Universities: but the result was unsatisfactory to all

parties. It would seem that there was no ill intention on the part of the Visitors themselves, but a want of energy and intelligence: probably also they were engrossed with other business from party intrigues; while their under-agents were often arbitrary and coarse, and unauthorized persons interfered violently. At all events, a great portion of the blame must attach to the academic authorities and their adherents. It deserves however to be remarked, that much more was now destroyed than built up. The Reformation had indeed a positive and excellent element; but on this occasion it manifested itself chiefly in a negative form; intemperate, greedy, destroying, overturning. Who indeed can at such a time expect moderation from the mass of men; or from their leaders, a tender regard for remote interests? Documents of the vanquished Church, Missals, Legends, Writings strictly Theological, Relics, Pictures or Images of Saints, Monuments,—were burnt, broken or degraded to the vilest uses. In the common ruin was inevitably involved all the literature of the Middle Ages, including both the Poetry and the Scholastic Philosophy; for the limits between the latter and Theology could not be defined, and the poetry was so impregnated with Popery, as to seem to carry "the mark of the beast" on its face. The destruction however must have been really less than we might infer from the loud complaints of those who suffered

from it; for it is remarkable how much the Puritanical image breakers of the seventeenth century found remaining. But the loss of these outward monuments is to us small, compared to that which history and literature have to deplore. Not only the scholastic writers, poets, and theologians of the middle ages, but very many valuable manuscripts of the ancient Classics, and numerous other treasures which can never be replaced, were ruthlessly destroyed at this period, both in the Universities and elsewhere throughout England. Nay, from a petition of John Dee, the mathematician, to Queen Mary, we find the spirit of indiscriminate devastation to have gone so far, that the mob did not spare his collections in Mathematics, Chemistry, Physics and Natural History: perhaps indeed because he was a Catholic.

In the Netherlands and elsewhere similar outrages occurred: but in England they were perpetrated at the very Universities, and under the eyes of a Royal Commission vested with full powers. Yet it would be a great error to impute this to individual savageness and Vandalism. A deeper feeling was at the bottom:—the reaction of a whole people against its corrupt and self-satisfied guides; the boiling up of discontent long smothered, of barbarism in massive force, embittered by injustice and neglect, and now the more brutal and the more dangerous on that account. Thus it is, that from time to time, under different watch-words of

Freedom, the national spite seeks to wreak its vengeance on the instructors whose vanity, temerity, self-interest and self-deception have made them blind to the faults of their system.

Yet the Royal Visitation acted with formal legality, and in agreement with its proper duties. It declared every thing null and void in the Statutes, which had any essential connection with Popery, viewed as *it* viewed Popery. Most of the scholastic exercises were abolished; the academic honors and the symbols of the corporate rights of the Universities were brought into doubt; nor were voices wanting to cry out for their positive rejection as Popish abominations. The study of Scholastic Theology and of the Canon Law had been already laid under restrictions by Henry VIII. The new prohibitions may have been intended to uphold and strengthen his enactments; but the practical effect, at any rate, was to abolish the old studies altogether. There was the less difficulty on this head, since it had been already decided what was to come in their place: of course the Classic studies of the Colleges were now expressly adopted into the University System. This was in fact to take up and work out, in the best spirit of the Reformation, what had been begun by the schismatical visitation of 1539. Into the Faculty of Arts, were now introduced Grammar, Mathematics, Logic and Rhetoric, to fill the gap occasioned by the loss of the Scholastic Philosophy. No endowed Professors

of these branches, however, existed; nor could the *Voluntary* system be trusted for a supply of instructors, from among the Masters of Arts. It was therefore arranged, (or perhaps only confirmed,) that Professors should be elected yearly out of the Masters; and that in future, in place of the scholastic exercises, rhetorical declamations should be made. The following is the substance of the ordinance of 1549, concerning the studies:

"Let the Professor* of Law lecture on the Pandects, the Code, or the Ecclesiastical Laws of our kingdom, which we mean to set forth (!) and on nothing else. Let the Professor of Philosophy lecture on Aristotle's Problems, Morals or Politics; on Pliny, or on Plato: the Professor of Medicine, on Hippocrates or Galen: the Professor of Mathematics, on the Universal Geography of Mela, on Pliny, Strabo and Ptolemy: the Professor of Logic and Rhetoric, on the *Elenchi* of Aristotle or the *Topica* of Cicero; on Quintilian, or Hermogenes: the Professor of Greek, on Homer, Isocrates, Euripides, or any of the ancients: the Professor of Hebrew, only from the springs of Holy Writ, as also on Hebrew Grammar."

Theological studies of course were of most urgent importance. In consequence of the dearth of

* [The word *Professor* is not used in the original Latin; but the teachers are named simply *Jurisconsultus, Philosophus, Medicus, Mathematicus*, &c.

In p. 12, vol. ii. of the German, the author adds the following words as omitted here by accident: "Let the Professor of Theology teach and profess nothing but holy writ" (or "sacred literature," *sacras literas*).]

scientific knowledge among English Protestants, eminent theologians were invited from the Continent, such as Peter Martyr, Bucer, Fagius, Tramelius, Chevalier; attendance on whose catechetical and doctrinal lectures was enforced. In the exercises of divine service such changes were made as were absolutely demanded by the principles of the Reformation: but nothing wantonly or blameably. Substantially the same measures were taken with respect to Cambridge.

§ 143. *Unsatisfactory results of the Reform.*

On the whole, as regards the changes in studies and in discipline, the Universities had no reason to complain of the Edwardian Statutes, as they are called. Yet the results did not correspond to expectation. The strong passions which prompted the destruction of all Popish memorials, worked too powerfully in the execution of every measure. Theological studies alone *appeared* to prosper: at least, the lectures of the new teachers were attended with zeal, and the number of adherents to the Reformation continued to increase. The interest inspired by Peter Martyr's lectures, is indicated by Wood's statement that the habit of taking notes became almost universal among the hearers.

But this was a mere party affair. A decided majority of the academicians was in favor of the

old religion, and this majority included the most learned men and the best classic scholars. At the same time, the all-absorbing interest of the Theological question made both parties undervalue all other studies in comparison; so that at the moment nothing was energetically followed but Theology, and this was one-sided and unjust in its enforcement by authority. That deep discontent should exist, was unavoidable. The rude violence offered by the the mob to sacred memorials, must have been keenly resented by delicate sensitiveness and by classical taste. Worse still was the desecration of the host, and the vile blasphemies with which the Catholic Sacraments were assailed, in songs and pamphlets. The gross use which the hand of power had made of the Universities in the last reign, might well disgust noble and upright minds with the very name of the Reformation; and the natural generosity of youth, rushing to help the oppressed party, ranged the more passionate minds under the banner of Catholicism. Moreover, the learned English could not but be offended to see all their own men of merit passed by, and foreigners thrust in upon them as religious teachers, by an act of power from without. Others continued to support the older Church from scientific convictions or from more vulgar motives: and thus, collectively, they formed a mass, by no means contemptible either in a material, or in a moral and spiritual point of view. Only deep prejudice can cause any to deny, that each party

contained men of excellent mind by the side of the most equivocally disposed. Catholicism however had without doubt the most celebrated literary talents in its ranks. Even in Theology, the Protestant party might have been the weaker, had it not received foreign support; while certainly in the Classics they had none who could compete with the school of Erasmus and of Wolsey. This school, for the most part looked upon the Reformation, at least as conducted in England, as a misfortune to the Universities: and contended against it to the extent of their opportunities. Yet neither had the Catholics any internal unanimity. The controversy indeed between the old Scholastics and the new Classics was but recently hushed; and might have broken out afresh, had not the Vandalism of the Reformation united them in a common resistance.

§ 144. *Indigence of the Scholars.*

To these elements of intellectual hostility, was superadded another impediment to a prosperous state of study; namely, physical want. The distress among the scholars, consequent on the abolition of the Monasteries, was now at its highest pitch. Indigent academicians were still wandering about the Universities, as beggars; and with the influx of the precious metals from America, the money-value of all necessaries kept increasing.

Moreover, the Visitors (in 1549) had done away with numerous stipends, previously paid for Church ceremonies, especially for Masses to the dead; and although the money was nominally applied to academic purposes, much of it practically went in other ways. Nor were even the greater institutions free from alarm. In those days none could guess what might be the next acts of Power; and the Visitors had received unlimited authority to fuse several Colleges into one,—a measure which assuredly would have been attended with no little spoliation. That no use was made of this authority, speaks favorably for the Visitors; yet the Colleges might well be in suspense and fear. Added to this, the Town Authorities were more and more elated with the hope of setting aside the privileges of the Universities, and gaining the management of its property for other uses. Lecture-rooms, in particular, had been built by various Monasteries, as by that of Osney; and after the dissolution of these bodies, had fallen into the hands of laymen. They were in part pulled down without farther scruple, in part used by tradespeople for common purposes.

§ 145. *The Reformers begin a direct persecution.*

We need not speculate what consequences would have followed from free enquiry and discussion, for the reforming authority soon took to other weapons.

Originally indeed the controversy had been allowed to take its own course. Each party had exulted in the prowess of its champions, and the Protestants anticipated a speedy extinction of Romanism by self-decay. But when time began to show that this was too sanguine a hope, shorter methods were sought for, and this Visitation (of 1549) was agreed upon. The Catholic Theologians knew before long, that they fought as it were with the rope round their necks: for the Royal Commissioners, who honored the solemn discussions with their presence, had full powers to expel, or to punish academically, all offensive members of the University and Colleges. Moreover, the old armories of criminal legislature were stored with deadly weapons. Scarcely thoughts, much less words or deeds, which seemed dangerous or hurtful to the holders of power, could be considered safe. It is not therefore wonderful that the most prominent of the Papal advocates, with many of their friends, held their peace or left the University, and saved the need of expelling them: while disgust, alarm or extreme want drove others away. The places hereby vacated in the Colleges or Universities were filled by the Visitors with their own adherents, in entire neglect of the Statutes, and without any pretence of justice. But when the field of contest was thus abandoned to one party, it will hardly be supposed that any satisfactory scientific results were likely to be produced.

§ 146. *Honorable exception of Peter Martyr.*

Yet justice must be done to the memory of the eminent Peter Martyr. Our accounts of his behaviour are drawn especially from Wood, who with evident impartiality, details the solemn disputations upon the Last Supper, held in 1549 by Peter Martyr, against Smith, Tresham, Cheadsey and Morgan. The Protestant Theologian appears throughout alike able and honorable; nor is there room for a suspicion that in this contest of mind, he sought, wished or wanted the aid of physical force. But we must add, that (setting aside the merits of their cause) he met with opponents of equal worth.

§ 147. *The Protestants become alienated from the Universities.*

However, this refractory opposition of so strong a party in the Universities, greatly alienated the Protestant rulers, who began to look on them as noxious institutions. According to Wood, the delegates named them *Asses' stalls — Brothels of the whore of Babylon;* and the schools, *Idol shrines of demons.* Classical studies, on account of their *Heathenism,* now came-in for the same condemnation from the ultra-Protestant which they had not

long back encountered from the ultra-Catholic. In fact, the rising Puritan zeal against these *lusts of the world and the flesh*, outdid in virulence the old Catholic hostility. It is not wonderful, that a rapid decline in the studies of the University ensued. Wood is especially distressed at the fact, that the laundresses of the town hung up their linen to dry in the ancient Lecture-rooms. The Royal visitors found one thousand and fifteen members of the University, when they came to Oxford; but most of them appear soon to have left. In 1550, the number who passed to their degree was but fifteen, with three Bachelors of Divinity, and one Doctor of Civil Law. At Cambridge, (according to Fuller,) there were seventeen Masters of Arts, twenty-six Bachelors of Arts, and nine Bachelors of Divinity. This gives us to suppose that Cambridge was not so badly off as Oxford; probably because the Protestant majority formed itself more quickly there.

§ 148. *The benefits of the Reformation are not to be looked for in its influence on the Universities.*

Whether the victorious party would after a time earn for the Universities a more tranquil and prosperous state, the course of events did not allow to be tried. The Catholic reaction under Mary crushed this possibility in the bud. One fact only

is undeniable, that up to that time, the Reformation had brought on the Universities only injury, outward and inward. There are a thousand results of this great revolution, which we must needs deplore and disown. Its benefits are not to be looked-for from the side of the Universities at all, but in quite another quarter;—in the deepening of spiritual religion. In contrast to the older Church, which was troubled with Pelagian* elements; it established a purer evangelical doctrine: and this is its true glory. But in regard to the Constitution and Discipline of the Church, and the *moral* and *scientific* cultivation of the community, if it had any advantages over the old system, they are balanced by concomitant evils. The higher we estimate the spirituality of the reformed doctrine, the more are we authorized, and in duty bound, not to conceal the price at which this jewel was bought; the more also should we cling to the hope, that the spirit of the truth so dearly purchased may at length penetrate and fashion the material frame which has received it.

* [The Author means to say, that the current doctrine of the Romish Church represented man as the active originator of spiritual good in his own soul, and God as rather passive than active in spiritual intercourse with man: whereas the Reformers always saw God as the *first* to make advances toward man, stirring up individual hearts and drawing them to himself, and verifying the prophet's words, "I am found of them, that sought me not, &c."]

§ 149. *The Reformers did not mean to unshackle the mind.*

In modern days it is pretended, that the merit* of the Reformation is, that it unshackled the mind, and promoted the developement of the human race. Such certainly was not the view of the Reformers themselves. *They* did not overlook the hazard, that developement might be carried too far; nay, on all principal questions they refused an independent voice even to their own allies. On minor points, unhappily, they had to yield to many influences, pecuniary and political. Learning, they looked upon as a slave or tool of doctrinal theology; and could hardly conceive of it as exercising a master's rights. It is but a confusion of words and ideas, when those who thoroughly abandon the dogmatic system of the Reformers, and place theology under the feet of learning, claim to be true children of the Reformation. In fact, this is already becoming the echo of a bye-gone period:

* [There seems to be no *historical* controversy here between the author and those whom he opposes. Both parties take the same view of what the Reformers did, and of what they intended; but Professor Huber values chiefly the DOCTRINE which they *intentionally* established, while others of his countrymen (and of ours) value the PRECEDENT which they *unintentionally* set; the freedom of thought and demolition of authority which they, blindly, brought about. *Their refusing liberty to their own allies*, cannot surely be put forward by our author as a merit. It is generally viewed as a striking inconsistency.]

for younger spirits are seeking for other genealogies, or despise all such extraneous honor.

§ 150. *Reflections on the Catholic reaction under Mary.*

But we now proceed to consider the effects of the Catholic reaction consequent on the premature death of Edward VI. The rapid revolution which ensued, appears to prove, that, *as yet*, the new doctrines were in a minority in the nation as well as in the Universities. Mere deference to the Catholic heiress of the throne will not account for the facts of the history. Some persons might hence be led to speculate whether milder measures in favor of the old Church,— a Catholic *juste milieu*, such as Elizabeth used for Protestantism,— might have proved successful; though, considering how deeply the Protestant aristocracy were gorged with Church plunder, it was perhaps inevitable for a revolution sooner or later to eject Catholic monarchs. Be that as it may, the now victorious party so mistook their true policy, as rapidly to decide the triumph of the opposite system.

§ 151. *New Colleges founded, &c.*

The importance of the Universities to each of the combatants had been recognized once for all:

and the acceptance of the Chancellorship in both, by the Legate, Cardinal Pole, was in itself a guarantee that Learning, so far as it refrained from opposing Rome, had nothing to fear and much to hope. As memorials of the praiseworthy intentions of his party, we can appeal to the enlargement of Trinity College, Cambridge, and to Caius College, which was in 1558 united with the earlier-founded Gonville Institution. In Oxford were founded, in 1554 Trinity College, and in 1555 St. John's College. The spirit of Wolsey predominated in the new arrangements. Indeed the founder of Trinity College, Oxford, (Sir Thomas Pope,) placed his establishment on so grand and liberal a scale, that nothing perhaps in all Europe upon the Protestant side, could at that day compete with it.* Pope was a friend and scholar of Thomas More; and in the reign of Edward VI. had been ejected from various public posts, because he would not conform himself to the times. In Mary's reign he was advanced to high offices in the State; and in establishing his College, he did not disdain to consult the Princess Elizabeth, (afterwards Queen), as well as Cardinal Pole. To the latter the College was more especially indebted for the stress laid on the study of Greek, which was at the lowest ebb in all the others. Pope

* This statement may be justified from Wood's and Chalmers's accounts of Trinity College. Unfortunately I cannot obtain Warton's Life of Sir Thomas Pope.

himself says: "This purpose I well lyke; but I fear the tymes will not bear it now. I remembre, when I was a young scholler at Eton, the Greek tongue was growing apace, the studie of which is now alate muche decayd." Thus learning had begun to decay from the commencement of the Reformationary movements. Beside Classics and Theology, the College was destined to the study of "every sort of philosophy;" and was originally planned for a President, twelve Fellows and twelve Scholars.

St. John's College, the foundation of Sir Thomas White, was to contain fifty Fellows and Scholars. Recollecting, too, that Caius College was in truth a *new* establishment, we thus find in the short period of Catholic reaction *three* new Colleges. Besides, the Government of that time not only bestowed on Trinity College, Cambridge, all the lands intended for it by Henry VIII., but added others; and established likewise several new Lectureships.

§ 152. *Fresh University Visitation.*

Yet it is improbable that such a spirit could ultimately have obtained toleration from the passionate extremes of either party. In fact the old contrast soon reappeared, of Classics in the Colleges; and in the University, Scholastic Philosophy, Theology and Canon Law. A Visitation, endowed

with full powers, re-established this latter side of the academic existence, as well as all points of the old Statutes which regarded the Catholic Church Service; and in many respects honorably distinguished itself from the preceding Visitation of the Reformers. The personal merits of Pole might have put honor on a good cause, or a fair face on a bad one; and the *form* selected for carrying out their projects was certainly judicious.* The main principles were laid down by the national Church, from without; (chiefly by a decision of the Convocation;) while the arrangement of detail was committed to Academic commissioners. We may be allowed to quote the "Articles concerning the Universities,"† from the proceedings of Convocation in the year 1557: (Wilkins iv. 158.)

"I. That in each University one and the same Introduction to Sophistry and Logic be read—then the Predicables and Predicaments of Porphyry; next, the Logic of Aristotle, and also, Rudolph Agricola on the Discovery of Arguments. Let all other Logic be rejected.

"II. In Moral Philosophy let none but Aristotle be read.

"III. In Theology; some parts of the Bible: the *Magister sententiarum,* or another author of the Scholastic Theology; to the intent that the scholastic doctrine may be cultivated anew.

* As to Cardinal Pole's Visitation, I refer to Wood and Fuller.

† [*Academiis* is the Latin word.]

"IV. Since the study of Arts is entirely deserted, and from some fastidiousness of criticism very few attend the lectures of the public professors, let it be provided that a certain number, &c... be compelled,..&c.

"V. Let no one be made Fellow of a College, except one who is poor and destined by his parents to the clerical order." (Ordinances respecting the dress of the Scholars then follow: it is ordered to be exclusively ecclesiastical. Nor is any one to receive any ecclesiastical emolument exceeding £20, before completing his third year of study.)

§ 153. *The Universities continue to droop, in spite of Royal Patronage: the cause, Want of* FREEDOM.

That poverty might not thwart these measures, and especially, might not hinder the regaining of the public Lecture Rooms; the Queen bestowed on the Universities many estates which had been ecclesiastical, and many Church benefices. Of good teachers there could have been no lack among the Catholics of England; and besides, foreigners were invited over, such as the Spanish Dominicans, Soto and Villagarcia. The Star Chamber established with a high hand the privileges of the University against the Town. But with all these advantages, the state of things continued to be

upon the whole as lamentable* as in the previous period. The number of Doctor's Degrees in the six years of this reign were, in Divinity three, in Laws eleven, in Medicine six; while the Masters of Arts in each year varied from fifteen to twenty-seven.

The cause of the failure is easy to discover. The Universities had everything except the most necessary element of all, FREEDOM: which, by the immutable laws of nature, is always an indispensable condition of real and permanent prosperity in the higher intellectual cultivation and its organs. In vain has brute force at every time sought, for the sake of some political aim, to thwart this law of nature: those shadowy beings, scientific officers and corporations, can never become a substitute for the genuine and wholesome energy of life. If we can do without this energy, it were better not to lose time and trouble in expensive experiments for infusing a galvanic existence. But if the true and natural life be needed, then let its prerequisite be granted,—Mental Freedom.

§ 154. *Ejection, and then fierce persecution, of Protestants.*

The supreme powers paused a little while, before announcing their determination to restore the

* Wood's testimony is quite sufficient upon this point. It appears to me superfluous to enter into details.

ancient Church and repress the heresies of the Reformation. The interval was one of painful suspense and of numerous party-manœuvres, in which both sides took very violent steps; the Protestants seeking to stir up the town-population, and the Catholics the academic masses.* After the well-known Acts of Parliament and the government-measures connected with them, the Protestants had nothing to do, but leave the field clear for their opponents. Peter Martyr, who was most threatened, set the example by returning to Germany; in which he was aided by Gardiner, one of the Visitors, and among the oldest enemies of the Reformation. Many of his friends and scholars followed him. If any were more dilatory, the re-enacted Catholic statutes soon compelled them either to renounce their Church, at least outwardly, or to give up their places in the Colleges and their stipends. According to Fuller, as many as eleven Heads of Colleges were expelled from Cambridge.

The reaction however soon assumed a more threatening form throughout the whole country. Spanish Dominicans appearing in Oxford were a presage that the noblest sacrifices were soon to be offered up to the conquering Church: and the martyr-death of three Protestant Bishops,—Ridley,

* Details of these facts may be found in Wood. Fuller, who speaks as contemporary witness, relates a violent scene in the Cambridge Senate-house. The Chancellor, who was inclined to the Protestant side, being hard beset and threatened by the Catholic majority, drew his sword; and bloodshed was with difficulty prevented.

Latimer and the head-Reformer Cranmer,—proclaimed the course which the party had determined upon. It was certainly not without design, that Oxford was selected as the place of fiery execution. To implicate the Universities corporately in these wretched deeds, the revolting farce of a solemn academic disputation was held, that these devoted men might be convicted of heresy by the Catholic disputants of Oxford and Cambridge.

Thus participating in guilt, the Universities of course could have no thriving intellectual life, nor even any scientific Catholic Theology. With what feelings would able and excellent men return to their solitary study or mount the academic chair, after quitting the reeking spots where their intellectual opponents lay martyred?* It can hardly be thought, that even in the long run any gratifying results could have been wrought out: nothing could be expected to follow but a yet deeper bitterness of enmity and fear. At all events, the death of Queen Mary, after a reign of scarcely six

* Among the many remarkable events of these sad times was the violation of the tomb of the wife of Peter Martyr and the digging up of her body. These remains had afterwards the peculiar fate of being mixed with those of St. Frideswide, each party thinking by this means to save their relics from further desecration. I have not considered it necessary to enter into any further details respecting the proceedings against the Protestant Bishops, as this matter does not, properly speaking, belong to the history of the Universities. I trust the reasonable reader will give me credit for my self-denial in giving up such an opportunity of imparting a flavor to my dry materials. I should think that the correctest account of these events might be found in Lingard.

years, brought about a counter-revolution: and main force, at the Universities also, fell once more to the late-oppressed party.

§ 155. *General review of the* morale *of Elizabeth's reign: her persecution of Dissenters: effects of the war with Spain.*

During the reign of the Virgin Queen, the principal energies of the government were exerted in clearing, between the extremes of each party, a large neutral space in which the majority could conveniently move about. But in effecting this object, every moral principle was set at nought, and every crooked path of State-expediency was trodden. Indeed I cannot flatter myself that my own view of this period will meet with any general approbation. As long as the *lawyer* is allowed to dictate to the *historian;* as long as people feel themselves at liberty to change their weights and measures at will; there can be no agreement on matters of history. To me it appears more respectable to go to work straightforward, by the avowal; "*The life of Conrad is the death of Charles; the death of Conrad is the life of Charles;*" than to deck out with specious legal phraseology the palpable murder of a Queen and cousin. It might indeed seem wonderful that any can set up Elizabeth, against her unhappy rival, as a pattern of moral and

feminine purity and honor; or that they can talk of the Machiavellian policy of the Roman Catholics, as though it formed a dark contrast to that of English Protestants!

One result of the establishment of this middle ground, was, to allow the rapid developement in it of numerous other impulses, unconnected with religious interests. Those for whose minds theological controversy had no zest; who were on flame with projects for exploring the new world, or for opening new paths to ambition, wealth, literature, or science; found here an open field. A peculiar, various, richly-colored vegetation sprang up; the more vigorous, because it grew out of rottenness and under a thunder teeming sky. If we wished to produce the bright side of this picture, it might suffice to mention the name of Shakspere: and it has been painted by many glowing pencils. But the dark side of the same has been but little exhibited, and it is necessary for us, with especial reference to our own subject, to give it serious consideration.

At that time, as always, it was assuredly possible to be moderate, wise and prudent, to shun extravagance in religion, without becoming indifferent. There may also have been delicate natures, who escaped all polemics, by keeping in a separate region,— the contemplation of the Beautiful. But facts convince us, however much against our will, that then, as now, *self-interest* alone kept the

majority of men in the middle course, dictating to them a hollow and outward conformity to all religious observances imposed by the civil power; while it indulged its own propensities with unshackled licence. Its satisfaction with existing arrangements, implied neither insight into their wisdom, nor sympathy with their moderation; but gladness to get rid of all earnest religious feelings soever.

In the mass of the common people a certain sterling worth, healthiness, innocence, or at least naturalness, was compatible with this state of things. Some were satisfied with the spiritual food provided by the ruling Church; others, in more remote spheres, were dependent on the voluntary ministry of the oppressed Churches: and in this way a rough foundation of evangelical feeling was kept up.—Even in higher circles, where self-interest (the evil genius of the times) obtained more room, there was without doubt a very sincere attachment to Church and State, and enthusiasm for the Queen, the Palladium through whom they enjoyed every thing. With thorough-going simplicity they gave unqualified approbation to all government measures, (however violent, cruel, or perfidious,) which were designed to uphold things as they were, nor ever thought of bringing them to the bar of equity, justice, or intrinsic reasonableness. In fact, against the enemies of the broad and comfortable *juste milieu* which had been established;

the public voice even called for the worst deeds: nor could these at all impair the love and respect entertained toward the Queen.—But in the highest ranks of society, in all who were more or less drawn into the region of political manœuvres, and could not be ignorant of court-intrigues, the demoralizing effect of these influences was great. Only wilful hypocrisy could affect not to know the crimes of the men in power; and the enthusiastic loyalty which the times demanded, went nigh to make all who in any way came in contact with the Court, accomplices in public guilt.

Nor indeed can Elizabeth's treatment of Dissenters, especially Catholics, boast itself over the coarse cruelty to which it succeeded. Instead of revolting the nation with fire and faggot, she *worried* non-conformists by every species of annoyance in police or in legal proceedings, in hope either to crush them or to drive them to despair. In the latter case their outbreaks naturally soon enabled the magistrate to hand them over to the dungeon, or to the hangman, as "political" offenders; and thus all idea of a martyrdom was evaded. Such were her tender mercies; and such, in fact, was the system which so many in this day admire and recommend! But nothing can ever be gained by these methods beyond an outward conformity, which may deceive a man's own self and the world, but will never deceive Heaven or Hell. Permanent and living fruits of the SPIRIT can only be expected from the

still workings of the SPIRIT; and to cherish these, should be the aim of Rulers. Outward systems however are more convenient for the mass; nor indeed from a more spiritual and hidden working, would the great ones of the earth reap, as now, the flattery and worldly service and voluntary dependence, by which the professed ministers of the Church estrange themselves from the SPIRIT.

The social state of England in this reign, presented therefore very many sides, which prove the very low state of the national morality and cultivation. However gay and fresh to the eye its outward coating, there can be no mistaking the corruption going on beneath: and scarcely a generation after Elizabeth's death, the treacherous surface on which she had built both Altar and Throne as if for eternity, fell in. Her chief glory arose from her contest with Catholic Europe, especially with Spain; since, as a struggle for English nationality, it gained a certain stamp of sacredness. All inward discord for awhile disappeared; and the extremes were forced to choose between the moral suicide of Treason, or the political suicide of Loyalty. But the danger went by too quickly for the interests of the Crown. The contest broke up into party adventures, more like to privateering than to national war; so that its elevating influence soon ceased, and self-interest and frivolity regained the upper hand.

As regards the real merit of the Queen and her

Ministers, there is no denying that they did their duty at the critical moment: but it is equally true that the crisis itself and their deeds have been ridiculously exaggerated. They might have been contented with the old phrase, "God blew upon them, and they were scattered." The good fortune however of this *juste milieu*, was, that it gained at so cheap a rate the credit of saving the national existence, and was never put to the test in a serious struggle. The triumph of its policy at that day, lay in avoiding great risks, and dealing out the war in the smallest possible doses; by which management, alone perhaps, the Government could have stood at all.

Returning however to the religious questions; little as we can look on the proceedings of this period as a model to be imitated, we may yet excuse them by reason of the pressure of circumstances, and we may confess that on the whole the good outweighed the evil: least of all should we think of extolling in preference the Puritanical rule which followed. Yet its blameable extravagances are mainly to be attributed to the faults of Elizabeth's policy; which by oppression drove the Puritans and Presbyterians into fanatical extremes, and by fostering a time-serving spirit in Court and Church, disposed the nation to venerate the persecuted body. Some there are indeed, who plead, in favor of the policy pursued, that no other measures could have kept aloof the threatening

storms. Forsooth, nothing could be done, but to live from day to day, earning and enjoying; covering with garments as gaudy or as presentable as might be, the inward eating ulcer: thus, by a fair outside, a specious conformity in Church and State, to flatter the present age and cheat the future. But if the highest wisdom of statesmen can really do no more, than, at the expence of all posterity, to spare the passing generation all violent convulsions, all great sufferings, all unusual efforts,—all, in fact, which can disturb selfish enjoyment; then, at least it were wiser to apologize for mortal weakness, than to ascribe positive excellence. Such false coinage of vanity and selfishness is at any rate not worthy of History.

§ 156. *Elizabeth, a Patroness of Learning.*

It must be admitted, that the picture which this epoch offers of the state of the Universities and of Literature generally, is, at first sight, highly pleasing. Elizabeth herself possessed learning so well grounded and extensive, as is seldom found in a Sovereign and a woman. We may accept the testimony of those times with as much caution as we will; yet the fact is no less true. Indeed in any case, her boundless vanity would have induced her to come forward as the Patroness of Learning; and she proved herself so in fact. If she obtained this

reputation in the cheapest of all possible ways, we must reckon it among the many lucky changes of her reign. Never did a Sovereign do less for Learning and the Arts, than did Elizabeth, in respect to outward and pecuniary support of individuals or institutions. This as well as every other kind of generosity or of fresh creative love was quite foreign to Elizabeth. But the defects of the Queen were supplied by her subjects. Beside other nobler independent motives, which belonged to the spirit of the Age; the hope of obtaining her favor by such means led many to found new Schools and Colleges, or to enrich those already founded: and of this we cannot refuse her a portion of the fame and merit. If, with little direct support or favor she contrived to surround herself with the learned and educated, to frown on ignorance, and to appear as the sun of this literate hemisphere; it undoubtedly proves real intellectual power in her, however turbid with coarser elements. Why should she do herself, what others did in her name, in her honor, and under her auspices? The principal point was, and is, that outward assistance, whencesoever it come, be plentifully showered down upon learning in its different stages. Indeed at this time were founded several of the most considerable schools, and numberless smaller ones for preliminary grammatical education.

§ 157. *Miscellaneous notices of Endowments to encourage Learning.*

Of Schools I may mention here the following. Westminster School, the only foundation to my knowledge really proceeding from Elizabeth; and Merchant Tailors' School, in London. I may perhaps count the Charterhouse also, although it was not founded till 1611. To these may be added the well known College-Schools of Rugby and Harrow, which formed admirable appendages to those of Eton and Winchester. It is very probable, that about a third of all the endowed Free Schools and Grammar Schools in England, originated at this period.

I cannot here enter into details concerning the Edinburgh University, founded at this time, as there is nothing to prove its influence upon those of England: nor again can I speak of the earlier institutions of Glasgow and Aberdeen. The resemblance of these Northern Universities to the German Protestant academic type, has already been mentioned: and we must not overlook the fact, that the University of Edinburgh was founded by the *Town*. The idea of a London University which has been reproduced in our own days was also frequently brought forward at that time.

In fact, an academic College in London was

attempted by that Prince of Industrialists* of those times, Sir T. Gresham; which may be reverenced as a model by more modern and perhaps more successful projectors. About the same period, Trinity College Dublin was founded; but neither did it exercise any considerable influence upon the scientific cultivation of the British Isle. Not to get too far out of the way of the task before me, I simply acquiesce in the received opinion, that it was founded in 1591, without exploring its connection with any earlier traces.

§ 158. *New Colleges at the English Universities:— Bodleian Library.*

In Oxford however and Cambridge we find three

* Gresham, in 1566, endowed seven Professorships, united under the rather inappropriate name of a College; but this was soon reduced to a few lectures, read to a very promiscuous public in a room attached to the Exchange; and at last they became mere sinecures.

[Of Gresham's Professors, four were to teach Divinity, Astronomy, Music and Geometry; the other three, Law, Physic, and Rhetoric. They received £50 a year each, beside apartments to live and study in. For some time, the lectures are said to have been well attended. In the seventeenth century, we find eminent names among them, such as Gunter, Wren, Briggs, Greaves, Barrow, Hooke, Bull Mus: Doc:, Sir William Petty: but in the eighteenth few or no distinguished men appear. Originally, Sir T. Gresham's house in Bishopgate Street was devoted to his College: but in 1768, it was sold to government, and the lectures have thenceforward been read at the Royal Exchange. *From the Penny Cyclopædia.*— It is not clear why our author, with whom the word Industrialist is a term of disparagement, here applies it to Sir T. Gresham. Gresham's professorships no doubt became sinecures, especially through the whole eighteenth century, and almost to this day: so did those of Oxford: but this is a misfortune, for which the founders deserve little blame.]

new Colleges* to have been founded at this time, and those already existing to have been enriched by multifarious benefactions: but above all, the celebrated Bodleian Institutions in Oxford must be here noticed.

The treasures of Literature, which Bodley, with boundless liberality and indefatigable care,† bought up; (especially on the Continent, where he profited by the stormy times of the Thirty Years' War;) compensated tenfold for all the losses, which the University Library may have suffered from the Schism and the Reformation. At the same time with princely liberality, he provided suitable rooms for their reception. This example found numerous imitators, by whose aid the University was enabled to connect with her new Library a suite of Academic buildings worthy of her name. The very first present in Books with which Bodley commenced his benefaction to the University in 1597, was reckoned at the value of £10,000. Numerous additions from other quarters afterwards followed. The old *Humphreian* Library over the Divinity School was at first repaired for the accommodation of these treasures: but more room was soon wanted.

* In Oxford, Jesus College, 1571: in Cambridge, Emmanuel College, 1584; and Sidney Sussex College, 1598. All these may be classed among the smaller Colleges.

† [Germ. ankaufen ließ:— "occasioned the University to buy up"? Sir T. Bodley died in 1612; but the Thirty Years' War cannot be reckoned to begin earlier than the accession of Ferdinand II., which was in 1619. In fact the first stone of the new Library was not laid till 1610; that is, seven years after the death of Elizabeth.]

OF THE
BOMBAY
BRANCH
OF THE
ASIATIC

SIR THOMAS BODLEY.

Founder of the Bodleian Library, Oxford.

A.D. 1598.

Day & Haghe Lith.rs to the Queen

It was therefore enlarged, and afterwards, in connection with it, other academical buildings were erected.* The increase of *College* buildings and estates was also very considerable; but cannot be mentioned here more in detail.

§ 159. *Cambridge Libraries.*

Cambridge had also here more or less active benefactors, but every thing there was upon the whole within more modest bounds. Her demands and wants too were not in fact precisely the same, as more had already been done for her at an earlier period. As early as the end of the fifteenth century,† for instance, Lecture rooms had been built for all the Faculties: and perhaps for that very reason they were of a less splendid character than the Oxford Divinity School, which alone devoured all the University resources. The Cambridge

* I may here name the New Lecture Rooms for all the Faculties, (the first *really* belonging to the Universities,) and an Archive Chamber. Thus arose the (so called) *Schools*. Their foundation, it is true, was not laid till 1611; but as the means and the impulse date chiefly from the Elizabethan period, it is but just to mention them here. The new Congregation House and Court of Justice, likewise attached to the Divinity Schools, may also find mention here, although it was not established till near the end of the reign of James I.

† It would appear at least according to the expressions used in Dyer (i. 250) that all the Cambridge Schools were established as early as the fifteenth Century: if so, I must correct what was before said, if indeed (considering Dyer's insufferable confusion) any confidence at all is to be placed in his assertions. In that case, we must recognise, in this fact also, the stirring spirit in Cambridge; which afterwards became more and more apparent in her.

University Library also received at that time many contributions:* but the chief stream was poured out upon one College. The Pious and Learned Bishop Parker bequeathed his Library,—without comparison at that time the most considerable in England,—to Bennet College (*Corpus Christi*); of which he had been Master.

§ 160. *Revenues of the Universities and Colleges.*

Yet more important to the outer frame of the Universities, than were private benefactions; was a legislative measure passed in 1576: by which they gained the same security as all other landed proprietors, against depreciation of their estates by the influx of the precious metals from the New World. It was enacted, that in future at least a third part of their rents should be valued in corn at the market price, and not, as before, according to an old and very low money estimate.† To this was added the immunity from public burthens and taxes of every kind, which had been before granted in detail, but was now for the first time bestowed once for all upon the Universities.‡

It is hence clear that all alarm as to spoliation

* Full accounts of the Cambridge Library may be found in Hartshorne: "The Book-rarities in the University of Cambridge:" London, 1829. In a rapid survey which I made of the work, I found nothing which merited especial mention.

† See Note (38) at the end.

‡ I intend afterwards to return to the subject of the freedom of the Universities from taxes.

of the Universities on the part of the State, was past; and that the Protestant rulers now recognized the Universities to bear the same relation to the Reformed, as formerly to the Catholic Church. Every doubt upon the point could not but disappear, at the Visitation held in the very beginning of the new reign. The instructions issued to the Royal Commissioners, and still more their personal merits and conduct, (so very different from those under Edward VI.,) did not give the least cause for apprehending attack on the rights or possessions of the Universities.

§ 161. *The Universities are made essentially* PROTESTANT.

They proceeded however with the greatest decision to claim them for *Protestant* England exclusively; and to purify them from every thing incompatible with the new creed. The Edwardian Statutes were temporarily restored; and every Academician whose conscience forbad him to take the oath of Supremacy, and (in form at least,) to renounce Catholicism, was ejected. Great as was, to the honor of the Universities, the number of those who now sacrificed worldly advantage to conviction;* it was easy to fill up the gap: and quantity

* In Oxford (according to Wood) no less than fourteen Heads of Colleges, and nearly ninety Fellows, were expelled: and among them were some of the most learned men. In

being thus substituted for quality, it was the duty of the now Protestant Universities as quickly as possible to initiate their new members into the mysteries of knowledge. After this Protestant purification, the Universities were confirmed and recognized in all their possessions, rights and privileges by a solemn and particularly decisive Act of the united powers of the State: although, after what has been said above, it will be understood that the incorporation of 1571, bestowed nothing of importance, which the Universities had not long possessed.* If this Act was really any better guarantee to them than the earlier Royal privileges, this was due not to its form, but to the circumstances and conditions in which it was framed. Among these we may reckon the higher degree of developement and firmness in the general political organization; but above all, the feelings and opinions of the individuals, whose influence induced the State to adopt these measures.

§ 162. *Court-favour showered on the Universities. Royal Visits.*

These feelings and opinions had already declared

Cambridge, beside several Fellows, the eleven Heads of Colleges appointed under Mary were also driven out. Many of these academic refugees afterwards distinguished themselves, *partly* in the English Seminary at Douay, and elsewhere, as the Teachers and Spokesmen of Catholic England; *partly* as its martyrs on the scaffold.

* How far the freedom from *all* taxes was really a new measure we shall see hereafter.

themselves clearly enough. The visits with which Elizabeth honored Cambridge in 1564, and Oxford in 1567, gave a sufficient pledge of the special favor, which the Universities thenceforward were to expect at her hands. Their position was still more firmly established, when according to long established custom, they chose their Chancellor from among the most influential men of the country. All these elections however depended in fact on the Queen. Accordingly, the favorite of so many years, Leicester, was chosen at Oxford, and Cecil (Lord Burleigh) at Cambridge, as Chancellor.

Elizabeth seized many opportunities in her visits to the Universities to show her dislike to the Puritans. In 1567, at Oxford, she thus addressed their champion Dr. Humphrey:—"Learned Doctor, your loose garment becomes you well: but I the more marvel why you choose to be so cramped in your doctrine: but I am unwilling just now to find fault!" In 1592, it deserves remark, that an academic disputation was held before her, on the question:—"Whether it was lawful to dissemble in religious matters?" The conclusion was:—"It is lawful for a Christian, sometimes to suppress, but never to abandon, evangelical truth." One may conceive, how the Puritans received such frank and solemn avowals of Arminian, Socinian, and Latitudinarian worldly worship.

More detailed accounts of the Royal visits

cannot find room here.* The character of festivities lasting several days, the Greek and Latin speeches, the public Disputations and Acts, the Latin and English Comedies, which were performed in the Colleges for the amusement of the Court; can easily be imagined, from the well known customs on such occasions: nor must any genuine expression of feeling (except that common loyalty which happily is seldom totally false at bottom) be sought for at such times in official academic addresses and compositions. These have, alas! every where and always, drowned in stereotype verbiage and Classic allusions, all truth and living reality of either time or place.†

§ 163. *Elevation of the Universities both in rank and in wealth.*

By these Royal visits, the Universities were as it were ennobled, and authorized to appear at

* These may be found partly in Wood, partly in Nichol's Progresses of Queen Elizabeth. See also Note (39) at the end.

† Should these expressions appear too harsh, they may in part be explained by the search which I have so often made through documents of this kind belonging to every age; such as *might* have given the most interesting illustrations of the times, but are really made up of the unmeaning phraseology, which as a thing of course flows from the classic pens of academic orators. That it is possible however, even upon such occasions, to retain all desirable circumspection and dignity, without sacrificing color and life; may be seen (to say nothing of other examples, the existence of which I will not deny) in the speech made by K. O. Müller at the Jubilee of the Georgia Augusta.

Court. A University-education or residence, became thenceforward a mark of a gentleman. The Academic Degree was upon this occasion given to a great number of distinguished men; and its attainment was shortly, by special statutes, rendered as easy as possible to the Nobility. Ever since, it has remained an ornament and a recommendation in the best society. The Universities soon became once more points of union between the youths of the aristocracy and their dependents: and the external welfare and lustre of the academic life must have been much heightened by such an accession.* The pecuniary advantages which at the same time accrued to the University and College Corporations, as well as to their individual members, and to a great part of the Town population, were certainly not to be despised. The deeper importance of the change however lay herein; that the Universities were drawn out of their

* According to the calculations made in the *Oxoniana*, Wood's *Fasti*, and in Fuller, I should reckon the numbers at Oxford toward the end of the sixteenth century at 2,500, and those at Cambridge at 1800: which is more than double of what they were in the middle of the century, and towards the end of the fifteenth. The Oxoniana gives a catalogue of the year 1612, which enters completely into details and gives 2920 for the numbers at Oxford, including Fellows, Scholars and students. But judging by the degrees taken, the numbers at the end of the sixteenth century must have been somewhat less. Fuller assigns 1783 to Cambridge in the year 1575. This increase was of course very advantageous to the finances of the University, the Colleges, the Lecturers and also to the Townspeople. I may here add, that the Quarter's bill of the Earl of Essex at Trinity College, Cambridge, (independent of rent) amounted to £45 10s. according to Ellis's Letters, 2nd Series, Vol. 3: where the items may be seen.

semi-ecclesiastical position, and became again more nearly connected with the general life of the nation. It is true that the individuals who were as it were the fixed kernel of these Corporations, were ecclesiastics; and in this sense the corporations themselves were looked on as at bottom spiritual: but this was interpreted according to the ideas of the times, and consequently was without a trace of ascetic renunciation of the world. About this kernel once more formed itself a fluctuating mass, in which the national blood began to circulate. Yet in comparison with that of the thirteenth century, this had a very aristocratic character.

§ 164. *Efforts to assimilate the academic population to the* morale *of the Court.*

Many efforts were made to bring this more abundant stuff into a state of religious, moral and scientific cultivation, corresponding to the prevailing views. The Vandalism of the first period of the Reformation had vanished. Every thing which could adorn life went on prosperously. Academic festivities of every kind, except those which might seem tainted with Popery, had been already restored in deference to the taste of the Queen: and all enactments of the Edwardian visitation, not in harmony with these merrier feelings, were set aside. But as a whole, and as a

basis for the studies, degrees, lectures, &c., the Edwardian Statutes were confirmed; nor must they on any account be wholly confounded with the opinions and doings of those who had the execution of them. To confirm them was the easier, as no new Professorships or Lectureships were erected at the time; and, generally speaking, the intellectual culture of the Universities was but little enriched.*

§ 165. *Cambridge takes the lead of Oxford in all improvement.*

Although it is not our present purpose to consider these regulations in detail; we must here remark on an essential difference in the tendencyof the two Universities. Similar indications may be found, it is true, at earlier periods: but at this epoch in particular, Cambridge gained a very perceptible start of her elder sister; partly by her freer movements, partly by her stricter demands both in and out of the Colleges. The intellectual distance between the two became still more remarkable after the end of the seventeenth century: and up to the most modern times it has never been completely adjusted. The *cause* of this, of course is not to be looked for in her organization, but in her spirit and feeling; out of which indeed any differences in her organization

* See Note (40) at the end.

must have sprung. Not only in the books and departments of instruction prescribed by her Statutes was there far greater variety than at Oxford; but candidates for her Degrees had to pass a real examination. Until then, disputations had served the purpose: but they had long sunk down into empty and even indecorous form. Oxford on the contrary kept up its old management for near a century afterwards.* The improvement however of which I speak, was found only in the studies in Arts, or, in a smaller measure, in Theology. Moreover as Cambridge at that time received a far more decided impulse from the spirit of the age, regulations which had no affinity with it were there formally abolished much sooner and more decidedly than in Oxford. Thus in Cambridge at that time every trace disappeared of the higher Faculties, as *corporations*. Indeed they had always been in a very tottering state; although they certainly still live on as scholastic *studies*, at least in name.

* Whether originally real examinations were held, and whether or when they were changed into these disputations, I shall discuss hereafter. So much is certain: that in the fourteenth and fifteenth centuries and down to the middle of the sixteenth, there were no such examinations either at Oxford or Cambridge; and that they were introduced into Cambridge between the periods of the Edwardian and the Elizabethan Statutes. This may be inferred, since in the former they are not named at all, and in the latter are alluded to as customary *(consueta)*. This system was afterwards complicated to a much greater degree by resolutions of the Senate. In 1637, it was brought forward at Oxford as something quite new; and consequently, if it existed there before, it must at all events have fallen into disuse for centuries past.

§ 166. *Moral and religious agencies.*

Let us now give a glance at the moral and religious life of the Universities. Nothing essentially new in the laws and regulations was intended upon this point. What was actually done, bore entirely upon the Public Divine Service and on the efforts at proselytism on the part of the Catholics. The old weapons of Police and Law were strengthened and sharpened; new ones also were invented: but, in form at least, the higher and nobler way was by no means neglected,—the constant preaching of the purer doctrine. The old institution of [Latin] University-sermons, (*conciones ad clerum,*) which had long fallen into disuse, was revived and recognized; and was now connected with Catechising and Sermons in the mother tongue. There was no want of special endowments for this purpose; and all the spare capabilities of the University were besides called into use.* In the same spirit was founded at both Universities, in 1586, by Walsingham, Secretary of State, a Professorship for *Theological Polemics;* that is to say, to expound

* Oxford ordinances to this effect may be found in Wood; of the year 1564, for instance: and Cambridge ordinances of the date of 1578, in Dyer (Dyer's Privil: i. 223). In what follows, I shall not always think it needful to note down any authorities. The University-sermons were originally a prerequisite for academic honors, especially in the Theological Faculty. Much also was done towards this object by the Town-Corporations, in the way of endowments, &c., &c.

sectarian differences. At the same time, in order to protect the ruling Church from any dangerous arguments on the part of her opponents, every public demonstration which was in any way opposed to her doctrines, was forbidden under the severest penalties.

§ 167. *The general Discipline: College-regulations.*

In providing for the Discipline of the Universities, some organic changes were unavoidable. Yet to innovate deeply was far less needed, than to sift, arrange, and enforce what was acknowledged; or to carry out and establish what had grown up. Of course any plants of Popish growth, not already extirpated, were unceremoniously destroyed.

With regard to the Colleges, chiefly, fixed regulations were needed. In them, or in the Halls, which were dependent upon them and subject to a like discipline, the entire University-population was now completely congregated.* After the favorable change in the value of their landed possessions, and by benefactions from individuals, these institutions were provided, if not with luxuries, yet with the means of satisfying the religious, moral, scientific and bodily wants of

* There existed in Oxford in 1612, besides the fifteen Colleges, eight Halls. In Cambridge however, as it would appear, even at the end of the sixteenth century there were no longer any Halls in the ancient sense of the word.

their youth, according to the ideas of the times and of the ruling party. Guarantees were now taken from the Heads and Fellows of the Colleges, for their attachment to the Reformation and to the political interests connected with it. Except in this one point, the chief effort of the ruling powers was, to maintain existing things, as a bequest from Catholic to Protestant England. This system was so generally recognized, that even a very essential principle of the Reformation was sacrificed to local exigencies, in upholding the compulsory celibacy of College Fellows.* *Heads* of Houses alone were allowed to marry.

We need not remark how essential this principle was to the whole arrangement of the Colleges. Elizabeth declared herself so strenuously against the marriage of the Fellows and even of the Heads, that a satirical interpretation might be easily put upon her declarations.

§ 168. *All power lodged with the Colleges.*

Under these circumstances, the responsibility for the well or ill-doing of the Academicians infallibly fell upon the Colleges and their Principals; and upon them consequently the decisive power was

* See for instance an Ordinance of the year 1561 (Dyer's Privil: i. 189). The Cambridge Statutes expressly state, "We do not permit the marriage of Fellows; and immediately after any one shall have taken a wife, he shall cease to be a Fellow of the College."

concentrated. We do not mean that this was a perfectly new arrangement: of course it was the culminating point of the system which we have seen rising from the middle of the fourteenth century. Anomalies however had occurred amid the storms of the first half of the sixteenth century; and it was necessary to do these away. Certain ancient forms also were now felt as mere vexatious abuses, incompatible with the responsibility of the Colleges. Moreover the Court saw the need of a strong check upon all democratic movement within the Universities, such as had reappeared during the excitement of the Reformation: and there was no method by which they could so securely attain their end, as by upholding the stable oligarchy of the Colleges. Thus every thing combined towards sanctioning in form, what had long been growing up in fact; namely, the change of the old democratic constitution into oligarchy.

Of course this would be resisted by old interests; particularly as the Opposition-Party of the day selected this for their battle-field. An echo of this opposition may still be heard in our time; although without the justification, which the position of parties then gave; and at all events without any correct knowledge or impartial investigation. Voices are now lifted up, to declaim against the changes then introduced, as though they were the mere work of arbitrary violence, from without

and from above.* This view of things is most unhistorical, and substantially untrue, although perfectly adapted to the times.

§ 169. *Peculiarities of the Cambridge Reform.*

But in speaking of Academic Reforms, we must draw a difference between Cambridge and Oxford. In Cambridge the book of Statutes called Elizabethan was set forth in the year 1571. It does not contain a complete Academic Code; but forms rather a selection from the older statutes, and from the practices already customary. Two of these need to be made peculiarly prominent. The administrative powers of the University were lodged with the Heads of Houses; and the Colleges got into their hands the last fortress of democracy, the choice of the two Proctors.†

* As I intend to return to this subject in my account of the Academic Constitution, I shall here do no more than refer to a pamphlet lately published, entitled: "Historical Account of the University of Cambridge" by St. Dann Walsh, &c.: London, 1837: in which this representation is made with the utmost confidence.

† The *Statuta Elizabethana* are to be found in Dyer's Privileges (i. 157, et 199). I can find no more precise notices on the course of the affair of the Proctors at Cambridge. Yet, as there can be no doubt that matters upon the whole went on there, just as afterwards at Oxford (1628 and 36;) I do not hesitate to apply here what Wood tells about Oxford.

§ 170. *Importance of the change in the mode of Electing the Proctors.*

The *Cycle* for the nomination of Proctors was introduced as early as 1557.* There is no question that this was the most important of all the new measures. To maintain beyond the College walls any academic discipline, there was little avail in the best institutions;—even the highest University-Authorities, the Vice-Chancellor and the Board of Heads, could effect but little;—without the vigorous and sincere co-operation of the two Proctors, on whom exclusively fell the direct exercise of the Police. The original meaning of the Proctors, as Representatives and Heads of the Academic "Nations," had disappeared with the Nations themselves; and the whole office had become an uncertain and arbitrary one. The annual election of the Proctors, by and out of the mass of the Masters, led to violent disorders, by bringing into play so many individual interests, and youthful tumultuous dispositions: to say nothing of the ecclesiastical and political parties. How was it possible to expect any satisfactory co-operation from officers connected with these parties, against the instigators of tumult? By vesting the election of the Proctors in the Colleges, according to a certain cycle, not only were these disorders done away

* Dyer's Privileges, &c., i. 184.

with, but the choice was lodged in great measure with the Heads of Houses: who consequently were able thenceforward to count upon the concurrence of the Proctors in promoting the common interests.

To complete the new system, the choice of several other academic authorities also was given over to the Colleges according to the same Cycle. Such a concentration of power might certainly lead to very many abuses; nevertheless it was most decidedly beneficial, not only at the moment to the dominant party, but permanently to the academic discipline. Nor did these regulations (which remain valid in all essential points down to the present moment) involve any technical infringement of the rights of individuals. And if the superiority in science and in discipline,* which Cambridge has *ever since* maintained over Oxford, cannot be explained as resulting from these ordinances; it is at least a consequence of the spirit which established them. Without this spirit to carry them into execution, they would have been of little or no importance. But as yet we have to deal, not with the results, but with the plans and measures.

§ 171. *Evil spirit, or incapacity, retarding all improvement at Oxford.*

We now turn to Oxford; where also we discover

* [Germ. Sowohl in wißenſchaftlicher, als in diſciplinariſcher Hinſicht.]

various marks of activity in the Academic Corporation. They seem indeed to have had more independence there, as the Queen was personally drawn off by the affairs of Cambridge. When, nevertheless, we can scarcely find a trace of any broad intelligible improvement in Oxford; when, on the contrary, we see that the confusion in the statutes and the contradiction between fact and form were only increased; this is hardly explicable without supposing evil disposition or incapacity on the part of the Academic Authorities.

We shall see, further, how heavy a suspicion falls on them of having intentionally, and for the furtherance of selfish ends, labored against any permanent improvement, such as was produced by the Cambridge Statutes. In Oxford, equally as at Cambridge, the oligarchal system was established. But when we discover, partly in the composition, partly in the attributes, of the Board in which the power was vested, more that was arbitrary and undetermined; when, in the use made of this power during a long series of years, no honorable efforts or generally useful results are found in this one University; we must attribute it principally to the prevailing state of feeling, from which arose both the organization of the oligarchal body and the actual use of its power. The difference between Oxford and Cambridge was originally much more internal than external. With a better state of feeling, it is probable that a reform of the

Oxford Statutes would have been brought about, similar to and simultaneous with that in Cambridge; instead of its being delayed another half-century. At any rate in the discipline and studies a similar improvement might have been effected.

I shall mention, further on, the part which Leicester now played in Oxford. The history of the academic constitution at this period, is in the highest degree dark; a fact which is not very astonishing, when it was the interest and intention of the ruling powers to make every thing as dark as possible. We have however express testimony,* that at Oxford also the Heads of Houses were confirmed in their authority, as Supreme Executive of the University; although without any established statutory regulations.†

§ 172. *In neither of the Universities were the fruits proportionate to expectation.*

If we search no deeper than the outward appearance and resources of the Universities, and the laws and regulations which bore upon their intellectual, moral and religious state; there appears nothing left to wish for. If the *results*, the fruits, had in any way answered to their *means;* the period would have formed a brilliant point in their history. But this is no way the case. The most

* See Wood.

† We shall treat this subject in greater detail further on.

trustworthy evidence sets it beyond all doubt, that intellectual quite as much as moral and religious interests at the Universities were then at so low an ebb, as not to compare even with far less favored periods; much less with the tranquil progress at the beginning of the century. This however is much more true of Oxford, than of Cambridge: at least, we have less decided evidence in this respect about the latter. Under the circumstances it is credible, that corruption had not reached to such a pitch at Cambridge; although things cannot have been, even there, in any high state of excellence.

As to Oxford, it is certain, that of the academic studies some were in complete decay, others were pursued in a shallow, spiritless manner, as a mere form; or at best in a popular way, such as might suit *dilettanti*. The morals and sentiments of the academic youth are described at the same time as having been in the highest degree wild, selfish, loose, devoid of all earnestness, honor or piety. More serious still however are the notices before us concerning the older and more influential academicians: in whom every hateful passion took the deeper root, and pervaded their whole life the more thoroughly, the less it was able to find vent in open, violent expression. Compelled to preserve a certain outward dignity, in seeking either personal ends, or party objects in Church or State; they had to maintain a close secrecy, or at least to

adhere to measures which were ostensibly legal. Very often (as will happen under such circumstances) it was no easy matter to determine between private and public interest; which of the two was pretext, and which real end and aim.

§ 173. *Testimony of Anthony Wood against the state of Oxford.*

Among the many passages of Wood, which bear reference to this subject; the following may deserve to be quoted.* "Of the University itself I must report, that although it had lately made laws most salutary alike to religion and to learning, yet all its hopes were disappointed; as all these laws were almost by all parties violated and neglected. There were few indeed to preach the word of GOD or attend on preaching, although in these times a great multitude of clergy left the Parishes of which they were Pastors, and came to Oxford, with more appetite for indolence and sloth, than for propagating the Faith. To this was added the inactivity

* The date is 1582.—Evidence to the same point is to be found in Warton (iii. p. 274, &c.), derived chiefly from Aschams letters, which I have not before me. At first certainly he praises Cambridge, in opposition to Oxford: but afterwards at Cambridge too every thing went back. He complains, that in Oxford, the earlier and better Classic authors were less esteemed than Lucian, Plutarch, Herodian, Seneca, Gellius, and Apuleius. What were the moral opinions and feelings, of the Academic Heads especially, we have proof enough in what Wood relates about the intrigues of parties and persons, and about Leicester's influence. The state of Cambridge is painted by Fuller in similar, though in much fainter, colors.

of the Academic Tutors &c.... To return to the Gownsmen: they were so given to luxury, as to outdo in dress the London Inns of Court and even the Queen's levee; and were so swollen in mind, that scarcely the lowest of the low would yield precedence to Graduates, or to persons on any ground superior to him. 'Shall I add that the public lectures in the Greek and Hebrew languages, as well as in Medicine, Law and Theology, were very rarely held; (not to say worse of the ordinary lectures:) that very few auditors ever appeared at them, sometimes even none; moreover,* that the Moniti whose duty it was to read papers on Theology, seldom fulfilled their office. In fine, if you look at the state of Logic and Philosophy, you will confess that the men of our time have degenerated from the teaching of their forefathers. All these things being duly weighed, it may be said, that in Oxford itself you have to search after the Oxford University: so greatly has every thing changed for the worse."

Of Church-service in the University, and of the preaching there at that time, a very characteristic trait is narrated by Wood. When, on one occasion, no one could be found able or willing to deliver the Latin sermon to the clergy, a country gentleman of the neighborhood mounted the pulpit of St. Mary's, with sword, cloak and ruff; and held forth in English after a most extraordinary fashion to the great amusement of the assembled crowd.

[* "Utque monitos": Qu. a misprint for *atque?*]

Wood expresses the difference between this and the previous period in the following manner:— "That Chancellor, the Earl of Leicester, found the University pinched by want of learned men, but abounding in worthy and well behaved men: he left it dissolved in luxury and wantonness." That he did not mean to imply that there was previously an abundance of learned men, may be inferred from the remarks which preceded.

§ 174. *Moral and intellectual influence of the Court on the Universities.*

Upon the causes of a phenomenon at first sight so strange, we have now the following remarks to offer. In the first place; to a well-grounded, free, and wholesome intellectual activity, the times were not on the whole so favorable, as might appear from partial and prejudiced representations, or from hasty inductions. The Classics made the greatest claims upon the sympathies of the well educated: and apart from all the contemporaneous expressions of flattery,* there is no doubt† that in

* Without doubt one of the most honorable and innocent of flatterers is Harrison, in a work in many respects so valuable, his Introduction to Holinshed's Chronicles. His loyalty towards the Queen and her Court, disarms the criticism which might else seem well bestowed, considering his solid good sense and knowledge of the world. In truth, until quite a modern era, English loyalty has been quite *lackey-like:* that is to say, after the model of that of the old servants in an ancient family. It has something honorable and even affecting in it, when simple and sincere; but as historical evidence is of no worth at all.

† I have no room for separate citations, and I refer my readers more particularly to Holinshed. (Ed. 1807, i. 330.)

the highest circles of society, and especially, in imitation of the Queen, among the female sex, there was an extraordinary familiarity with the ancient authors, even in their original tongues: to say nothing of the numerous translations. There was moreover a general predilection for the Romanic languages and poets. The Queen herself however, in spite of all her learning, was wholly wanting in those nobler sentiments, without which classic literature always remains a closed book. She was naturally pedantic and without taste. Her virgin state, (of which she made a sort of trade,) did not keep her from coarse unmannerliness of every kind: yet it did force her to affect a prudery, which agreed but ill with the frankness of the classic authors. Religious decorum, even in its more Puritanical* demands, worked in the same direction.

* Ocland published in 1582 two long Latin Poems, in which both Latin and Poetry are equally wanting in taste. Their study however was enforced at all schools, by order of the Privy Council, "that the said booke *de Anglorum prœtiis* [?] and peaceable government of her Majestie (Elisabetha) may be in place of some heathen poets; from which the youth of the realme doth rather receive infection in manners than advancement in vertue."—(Warton, iv. 140.) In this may be seen the effect of the Puritanical influence, which was very strong in the Council of State. It can scarce be supposed that Elizabeth did not know of, and did not authorize, this order: and her vanity, which found the strongest food in the "Elisabetha," sufficiently explains the fact. Moreover, she herself possessed a vein, very nearly allied to the worst side of Puritanism; severe as she was against Puritanical freedom in ecclesiastical matters. How far a sincere Puritanical reaction against the frivolities of the time may have been justified or desirable, it is not our task to investigate here. Thus much is clear, that classical studies were not benefited by such interference.

Taking every thing into consideration; in this much be-praised learning of the Queen and of those around her, we can find little more than a pedantic display of mechanical acquaintance with the classic languages. In some certainly the fruits of Court patronage may have ripened for nobler purposes. But these were only exceptions: nor can it be supposed that from this narrow circle much benefit could accrue to University-study. Only the more eminent personages there could seek a path to Court favor: and for this purpose a step backwards had to be made, from sound learning to fashionable affectation. The preponderance of external considerations with the academicians of that day, may be seen in the favor shown to men of rank in taking Degrees: a favor which had long been occasionally bestowed, but was looked on as a great abuse. It was now established by Statute.

§ 175. *Influence of the Nation at large, and especially of the Metropolis, on the Universities.*

But the atmosphere of the times was still less favorable than that of the Court. It was the reign of all that was national, popular, vulgar; an epoch of vigorous stir in the spirit of the mass: and although it had agreeable characteristics, which it would be foolish to deny, we must neither demand of it, nor ascribe to it, that which

was foreign to its genius, its taste, and its sympathies. The peculiarity of England at that period, was an extraordinary multifariousness in its intellectual efforts. Side by side with the modern Romanic Literature, the memorials of Greek and Roman Antiquity gained no insignificant place. But this remark must be understood almost solely of the better educated circle of the capital: which comprised the higher, and a portion of the middle classes. It was animated by various Poets and Authors,—then for the first time appearing as a peculiar body of men,—who possessed collectively an intellectual influence, although individually seldom either respected or respectable. Their power afterwards vanished, in the religious and political contests of the seventeenth century, and in consequence of the stamp so long left on the national character by the stiffness of Puritanism. Before the chilling breath of the Roundheads, the gay crowd of poets was scattered like chaff; and under Charles II. nothing remained of this cup of genius, but the dirty dregs.* But even under Elizabeth, the influence of contemporaneous men of letters was chiefly confined to the walls of the capital, and could not very essentially pervade the Universities, whose members were gathered from

* We have no description of the state of London society in this respect under Elizabeth and James, in spite of or perhaps on account of the richness of the material. Tiek has given one side of the picture: for this as for every thing else, the new generation has too little seriousness. Hard study and love of the subject are needed for the production of such a work.

all parts of the country. Yet it did affect them in part; and this forms, in fact, a phenomenon not to be overlooked in the history of the Universities at that time. The more intelligent Gownsmen were in constant intercourse with the literary doings of the Capital, to which they found a link, particularly in the Inns of Court.

§ 176. *Reciprocal influence between the Inns of Court and the Universities.*

The institutions last named were originally meant to promote the study of Common Law, and to rear Judges and Lawyers; partly by practice in the Courts, partly also by scientific teaching. We must be very careful how we place reliance on the pompous praises lavished on them by such men as Fortescue; which have found their way into all Law Dictionaries and such-like works. Equally groundless is the idea, that these Inns were real Universities; or High Schools of the free Arts and Sciences.* At that time, though they may have been less estranged than afterwards from their true

* Material for a history of these societies may be found more especially in Dugdale's "Origines Juridicales." I am not aware whether further enquiries have been based upon his work: nor whether any one has investigated in detail the analogy between these Law Schools and the embryo of the old Italian Law Universities, and why it is that the former never rose to the same importance as the latter. The London Templars of Elizabeth's reign, are vividly described in many sketches of the manners of the day, but only so as to touch their moral and social condition.

ends, yet they were already connected with a mass of foreign elements and tendencies. However the nucleus of these bodies may have been composed or employed, it was surrounded by a wider halo or rather followed by a long train,—a nebula of unpractising Lawyers,—whose spirit and doings gave to life in the Capital some of its boldest features, its gayest colors, its most vigorous intellectual movements; and also without doubt, many of its most serious moral misdemeanors.

Between the Universities, and this unbridled, though in a certain sense highly educated, youth; there was a constant commerce, an in-and-out-flux, generating an intimate reciprocal influence. The result however was the more likely to be unfavorable to earnest studies, as the preponderating influence certainly lay with the circles of the Capital; and their spirit naturally took the lead in University-society, and produced models for it.* The scientific and classical knowledge, which thus accrued to the Capital, was small in comparison to the stream of popular literature which flowed in upon the Universities. And whatever may be the opinion otherwise entertained of this literature; however severe or mild a judgment may be bestowed upon its indisputable immorality; it will be

* This lay in the very nature of things. Further proofs or rather characteristic traits and material for a more detailed account may be found in Wood's "Athenæ Oxon:" and also in the dramatic and satirical writings of the time. The passage in Wood here alluded to is really of importance.

admitted that it could be no means of promoting profound study.

With regard to the Classics, much was done to popularize the knowledge long since acquired; little or nothing to extend or enrich it: which would have been the truer calling of the Universities. The numerous translations, very different in worth, by which, down to the beginning of the seventeenth century, so many of the Classic Authors became the common property of the people; are the best fruits of this intercourse between the World and the Universities. This is certainly to testify an important and gratifying influence of the latter upon the former.*

§ 177. *Evil influence of the Gentry upon the Universities.*

It has been seen how little good was to be derived to the Universities from the literature of the Metropolis: connexion with other circles of society was not at all more improving. We speak here more especially of the very important class of *Gentry*; whose sons at that period, and ever since, composed the greater part of the academic population.

* To describe the influence of the Universities on the general cultivation, the poetry and especially the drama of the times; or again, the influence produced on the London Theatres by the plays most admired at the Universities; and vice versa; would be one of the numberless and yet unperformed tasks of a History of Literature. Hints and materials are given by Wood, Collier, &c.

Few of them visited the University for intellectual improvement, taking even the lowest standard. With all the praiseworthy qualities of this class, it was nevertheless upon the whole without taste either for science or for general literature. Its thorough country-life formed a direct contrast with that of towns: and when custom or hopes of emolument drew its youth to the Universities, the more lively or clever were for the most part swept into the vortex of metropolitan life. A majority returned to the paternal hearth, not always with the same rough innocence which they brought away, and at all events with no particular intellectual benefit. After this, they had but to add new branches to their respectable family-tree; or, if younger sons, receive a Church-living in the gift of their own or of some friendly family.

The intellectual demands of these circles had however in another respect an important influence upon the academic studies. The wealthier and most respectable country-families were already used to place their sons under private Tutors; whose duty it was either to prepare them for the Universities, or to give them (what was considered) a finished education. A large proportion of the poorer academicians has at all times followed this thorny path: which, at the very best, after many years may lead to some paltry place of rest in the Church. If the heads of such families had demanded in the tutors really high qualifications, it

might certainly have given an impulse to learning at the Universities: but their demands were in fact so low, the prevalent standard of accomplishments so miserable, that the influence was rather of a contrary tendency. It brought to the Universities a very numerous class, whose poverty and roughness of manners were perhaps their best qualities; and in whom the vulgarest tone of mind prevailed, through their dependence upon their former scholars and future bread-givers: (*Brodherrn*). With this spirit* prevailing, it cannot be supposed that the University Tutors and other Authorities were free from similar sentiments, and we may well imagine what influence all this must have exercised upon the discipline and studies.

§ 178. *Evidence concerning the Domestic Education of the Gentry.*

The state of domestic education among the landed gentry of that day, appears to me to have been the principal source of the evils alluded to. We learn from an unexceptionable contemporaneous witness,† what the spirit of that education was. "Such is the most base and ridiculous parsimony of many of our gentlemen," says he, "that if they

* Upon this point I must be satisfied to refer in general to the multifarious sources, from which alone a knowledge of such matters is to be derived; especially the dramatic and satirical literature of the sixteenth and seventeenth centuries.

† Peacham's "Complete Gentleman." I quote from Drake's "Shakespere and his Times;" i. 90.

can procure some poure Batchelor of Arts from the Universities to teach their childern to say grace, and serve the cure of an impropriation; who, wanting meanes and friends, will be content upon the promise of £10 a yeere; at his first coming to be pleased with £5; the rest to be set off in hope of the next advowson, which perhaps was already sold before the young man was born, &c.... Is it not commonly seene that most Gentlemen will give better wages and deale more bountifully with a fellow who can but a dogg or reclaime a hawke, than upon an honest, learned and well qualified man to bring up their childern. It may be hence it is, that their dogges are able to make syllogismes in the fielde, when their young masters can conclude nothing at home, if occasion of argument or discourse be offered at the table."

The expressions of Ascham in his "School-master" are more pointed still. Equally characteristic is the description given of such a relationship, by that excellent Satirist, Bishop Hall; a poet too little known and appreciated, not only among us in Germany, but also among his own countrymen: (Satires ii. 6).

"A gentle squier would gladly entertaine,
Into his house some trencher chapelaine:
Some willing man that may instruct his sons,
And that would stand to good conditions.
First, that he lie upon the truckle bed,
While his young maister lieth o'er his head:

Second, that he doe, upon no default,*
Never presume to sit above the salt:
Third, that he never change his trencher twise;
Fourth, that he use all common courtesies:
Sit bare at meals, and one half raise and waite;
Last, that he never his young master beate:
But he must aske his mother to define,
How many jerks she would his breech should line.
All these observed, he would contented be
To give five markes and winter liverie."

We often find in the same writer testimony to the same effect: for instance in Satires 2 and 5 of the same work. To say that these are mere satirical ill-tempered distortions, is to forget that this is but an *illustration* of a *proved fact*, namely the miserable state of the academic studies. And this fact in turn would lead us to suppose that the descriptions formed, not exceptions, but the rule.*

§ 179. *Mutual action between the Universities on one side, and the Schools and the Church on the other.*

We are naturally led-on to consider the connexion of the Universities with the Schools and with the Church.

* How far similar traits may be discovered at other times, is no affair of ours here. Should it be proved, (what would be difficult,) that the same was the case at all times and in all places, still it is our duty to shew what was the case at that time of which we speak: the more so, as at that very time there were so many appearances, which might have induced us to believe in other and better things; appearances, which indeed have misled many.

The influence of these upon the Universities, even then, could not but be considerable; although the ecclesiastical character of the Universities was certainly lessened, by the influx of lay students with the new fashion. It was not possible however that the intellectual life of the Universities should receive any considerable stimulus from the Church or from the Schools without; the fact being, that the feebleness of such life in the Universities entailed an equal langour in the connected and kindred institutions; and thus, when the circle was completed, generated its own causes. In the highest circles of the Church there was doubtless a certain degree of cultivation; which was promoted partly by public opinion, partly by the Royal dispenser of all preferment in this sphere. Elizabeth's learned vanity was in itself a sufficient guarantee that no ecclesiastics notoriously ignorant would be raised to high places in the Church, especially to such as were likely to bring them into personal contact with herself.* This fact in itself, no doubt, proved an inducement to many to apply vigorously to learning; indeed upon some occasions it was expressly held forth as an inducement to the Universities.† By the hope of prizes so lofty, but few

* On the other hand they all probably took care not to show off their learning in comparison with hers, more than might serve to set it forth to advantage.

* I refer my readers to a letter in "Ellis' Letters;" in which the promotion to high posts in the Church is expressly held out as an inducement to the industrious pursuit of learning. *Learning* was of course to be interpreted, as in accordance with the prevailing system, and unconditionally dependent on it.

individuals could be stimulated: and besides, although intellectual accomplishments were more or less considered in those selected, yet, as a general rule, of course other influences decided.

Far more important than any thing done in the highest sphere of the Church was the demand for a competent knowledge in Divinity and in Arts, made upon the middling and lower orders of the Clergy. Important influences certainly may proceed and have proceeded downwards from above, but no trace exists that at that time any thing of the sort took place, to the intellectual benefit of the lower ecclesiastics. Political, worldly and personal interests and intrigues decided every thing. The dominant Church was as much pervaded and ruled by these elements, as ever the Catholic Church had been. In the appointment to Church-benefices more especially, the pecuniary interests of the secular patrons and their families prevailed to such a degree, that this alone might have sufficed to bring about that lamentable condition (moral, religious and intellectual) of the mass of the ministers of the State-Church, of which we have only too credible testimony. In fact, precisely the best and worthiest members of the Catholic Church had been compelled to quit the ministry and sacrifice their worldly interests to their convictions; while, among the Protestant ministers, those whose inward calling was the strongest, were forced by the secularization of the ruling Church into a sectarian

position, which excluded them from her service, and sometimes altogether from academic life.

This being the condition of the *Church*, it is not wonderful that we find the great mass of those connected with *School* instruction in the highest degree neglected and corrupted, morally and intellectually. The increasing wealth of existing schools, and the foundation of new ones, enlarged the numbers, without improving the quality of the academic population; indeed, were rather advantageous only to the academic rabble.*

The miserable condition of the ruling Church, so unworthy of her general duty and her special position, was the principal cause of the extension and temporary victory of sectarian and other tendencies; which held out, or at least promised, to Christian desire, that which was in vain sought among these hirelings. Whether the desire was really satisfied in this quarter, or whether it was not in many respects corrupted and led astray, is another question; yet, however this may be decided, it can never relieve the culpability of the ruling Church.

Beside this testimony of history itself, we have trustworthy evidence to the same effect from those unconnected with the party struggle, and from

* Were I to try to please the majority, I ought not to say much respecting these unpleasant topics;—this dark side of that glittering medal, called "the Elizabethan Age." But what is to be done, where the most credible witnesses speak out so loudly and so clearly? Above all, it is the after-course of these matters which leaves no room for palliating.

adherents of the prevailing system. Even the decidedly apologetic account in Harrison's "Description of England,"* admits enough and proves enough to justify the representations just made. What this partial and timid, although well meaning and honorable witness, gives as the constant exception; we are forced, under the circumstances, to regard as the general rule.† Harrison admits, with a sigh, that the lower ecclesiastics were generally despised; but he seeks to explain the fact, less by their ignorance, and immorality, than by their poverty; the fault of which he ascribes to their Patrons, who looked upon the benefices simply as means of emolument for themselves or their families. We need not say any thing of the many methods made use of to turn property of this kind to profit. The very worst abuses, which now-a-days very seldom or never occur, were then matters of common practice. The more valuable benefices, for instance, were bestowed upon younger sons or relations; who either took the duty on themselves without any inward call soever, or kept a curate upon as small a salary as possible. The smaller, were employed in rewarding or providing for old servants, who did the same as their masters.

That poverty in itself is not at all incompatible with many of the attributes of the Pastor of a flock needs no proof: but it is just as certain that it

* See Holinshed. † We do not pretend however to deny many very honorable exceptions.

generally throws difficulties in the way of intellectual cultivation. Under the circumstances here described, it certainly went far to exclude a moral and religious calling also; nor in fact could it do otherwise.

The testimony which I am about to quote, may be looked upon as a rare extreme: but at all events it gives a sort of standard. Lodge (in his Illustrations, &c., iii. 391) gives a letter from the Talbot papers, in which mention is made of an ecclesiastic in the following terms:—"The minister afore named *differeth little from those of the worste sorte:* he hath dipt his finger both in manslaughter and perjury, &c.": and yet evidently* he did not quite belong to the "worste sorte"! In the same letter we read of "a bad Vicar of Hope, who is *not* to be punished for the multitudes of his women, untill the bastards whereof he is the reputed father be brought in." This same Vicar was openly and zealously supported by a very respectable man and Justice of the Peace, Sir N. Bentley, in order that he might be allowed to open a beer house. Indeed, the other magistrates decided against him; and, as we before said, this case must be looked on, not as a common, but only as a very bad one: still, we cannot avoid forming from such accounts some opinion as to the whole state of things at the time. The worldly-mindedness of the higher Clergy

* [The Author seems to interpret the words to mean; "the worst sort of clergy:" which is probably a mistake.

naturally did not show itself under such coarse forms: but even there also this much-praised era of the Anglican Church has bequeathed a heritage of most questionable traits.

§ 180. *Cultivation of Law at the Universities.*

We cannot expect that other branches of the Academic studies should flourish more than Theology and Arts, especially in such an age. *Ecclesiastical Law,* properly speaking, existed no longer: for the Papal Law was most severely forbidden; and the Protestant Church-Law, promised by Edward and Elizabeth, was, for very intelligible grounds, never brought forward. *Civil* or Roman Law, which had been much neglected before the Reformation, now pined, just in proportion as Common and Statute Law throve. The spirit which had prevailed in the recent revolution, being Northern and Germanic; cast down all the more Romanic tendencies, and with them the Civil Law.* Common Law however (as we once before stated) was not scientifically cultivated at Cambridge or Oxford; and indeed had its head quarters

* I may be allowed perhaps, without entering into further investigations which would lead me too far, to remark, that I am not ignorant how constantly the despotic characteristic of the Tudor reigns have been ascribed to the Roman Law. But, setting aside the fact that much confusion and error took place, (for instance, in the original practice, and in the theory perhaps afterwards attempted,) these Civilian points at all events were not of the kind to have influenced the academic studies.

at the supreme Courts of Justice in London. The Inns of Court were looked upon by contemporaries as a third University: and a *Law* University they were, thus far; that whatever Law was studied in England, was studied there. They left in the hands of the two Universities the power of conferring degrees in the *Civilian* Faculty only, for which a mechanical sort of exercise sufficed.

§ 181. *Medical Study at the Universities.*

Medical studies also, such as they were, had (as we have seen) estranged themselves from the Universities much earlier. The few efforts made for a revival of them, only prove by their slight duration, how unfavorable was the academic soil and atmosphere. Wood mentions in 1508 a certain Antonius Alazardus from Montpellier, who gave lectures in medicine with much success. The fact is not wonderful, remembering the great energy with which science was just then cultivated: yet no permanent effects can be traced: and the fate of the Lynacre foundation is sufficient proof how little interest was taken in these studies. This may be seen also, by the very small number of medical degrees taken. In the year 1575, Wood again mentions a foreign physician, whose lectures were much sought after; but this was only temporary, and proves at the utmost, that a part of the fault rested with the Regius Professor.

It is true that medical Professorships had been founded by Henry VIII., but medical studies naturally took up their central position in the practice and hospitals of the Capital. They had moreover already obtained there a central organ, in the Corporation of London Physicians.

§ 182. *Effect on the Universities of the London College of Physicians.*

This institution had been established and endowed with very extensive privileges under Henry VIII.* but its influence upon the academic studies did not take place all at once. The schismatic and reformationary movements which broke out shortly after its establishment, drove all such matters out of their common and standard course. The new corporation had indeed nothing to fear from the hostility of the Universities, which were fully occupied with very different cares; but it had to

*The foundation-deed, by which the Physicians of the Capital and seven miles round, were incorporated into a "College of Physicians," is of the date of 1518; (v. Rymer.) Lynacre, and at his instigation, Wolsey, took a considerable interest in the matter. As to the Surgeons, they too, under Henry VIII., were incorporated with the Barbers; from whom they were not separated until 1800. Most also of the great hospitals which to this day form the native high schools of English Medicine (St. Thomas's, St. Bartholemew's and Bethlehem) were incorporated under Henry VIII: but their existence cannot be looked upon as secured, or their influence as firmly established, before Elizabeth's reign. I trust I need not assure my readers that I do not confuse the state of things at that time with what was the case afterwards; and that I am not ignorant that no clinical course of lectures, &c. then existed.

defend itself from an inundation of quacks, which burst forth, for the greater part from the abolished Monasteries and their Schools. We reach Elizabeth's reign, before we find the course of things tranquil and steady enough to warrant us in a decided judgment as to their permanent importance.

It was not, it is true, the intention of the founders of this medical corporation to place them in opposition to the Universities: on the contrary, the proposed severity of this *medical police* promised rather to protect the rights of the academic degree, as a qualification for higher practice. The result however no way justified the expectation. The new medical corporation had not self-denial enough to reject the independence and dignity forced upon it. It saw that the Universities exceedingly undervalued medical studies and interests, in comparison with theological disputations; while with the latter, Physicians have at no time sympathised. Medical men have never been in the very best odor with Theologians; nor were they at all comfortable at the English Universities, where every one was every moment liable to be made a theological partizan. Distrust was the more increased against the Physicians, since the more distinguished of them completed their education in France and Italy: and were thereby exposed to the charge of Indifferentism or Catholicism. Moreover Catholic agents, particularly Jesuits, not unfrequently appeared under a medical mask.

Had the power lodged with the College of Physicians been as energetic as it was feeble, it could not be imagined that they would use it chiefly to punish invasion of the University degree. Of course they thought far more highly of their own, than of the academic diplomas;* yet they could but partially and locally protect even their own privileges against encroachment on the part of the Apothecaries and Surgeons.† In fact it is notorious, that to this day, it is impossible in any town of England to maintain in vigor the laws respecting medical practice.

§ 183. *State of Mental Philosophy at the Universities.*

Of all the branches of learning, Mental Philosophy was perhaps the least favored by the opinions of the times, in or out of the Universities. The reaction against the Scholastic Philosophy still prevailed in full vigor; and, in giving up to oblivion as utterly worthless all the exertions and acquisitions of half a millennium, could not but be disadvantageous to philosophic culture.‡ Yet it was an advantage, (seeing how dead a skeleton the system had become,) to go back to the original sources of its life,

* Wood mentions as early as 1612 the complaints made by both the Universities (and it should seem in vain) against the College of Physicians for not paying proper attention to the academic diploma.

† The Apothecaries were at first incorporated with the Grocers, and did not form a separate Corporation until 1617.

‡ See Note (41) at the end.

Aristotle and Plato: and this really took place, at least as to Aristotle. The exclusion of Plato however from the statutory studies, cut off one of the principal roots, out of which the Philosophy of the middle ages (directly or indirectly) had grown. Had the materials to be found in Aristotle been worked up with life and spirit, a new germination of intellectual philosophy would have resulted. But the age had no inward calling to such a task; no desire of progress in it. The more earnest spirits cast themselves into controversial theology, and found no room for any thing else. A place had been left to Aristotle, chiefly because the Faculty needed a formal *Patron:* but his disciples had no idea of exerting themselves to understand him. When he was defended against innovators, it was only from dislike of the exertion needed to master a new system: nor did there exist even that blind belief in his authority, which would have at least left room for the vital principle of Love. There is no doubt that Bacon at that time, at least in Oxford, would have met just as poor a welcome, as a certain Barebones, who sought to promulgate the doctrines of Petrus Ramus and in consequence had to choose between recantation or expulsion.*

* Wood mentions this occurrence as in 1574. As a condition for his admission to his Master's degree, he was to engage to defend Aristotle against all comers; and to beg pardon in print for his violent opposition to certain Doctors who are named. It is not clear whether this took place, or whether he left the University.

But we find not a single indication that any such attempt in favor of the philosophy of Bacon was made at either of the Universities.

§ 184. *Evil influences acting within the Universities: especially at Oxford.*

Hitherto we have been accounting for the unsatisfactory state of the University studies by extra-academical causes; we now proceed to consider the operation of causes properly internal.

Fear of innovation from free enquiry, appears to have been by no means the worst side of this matter. In the sixteenth and seventeenth centuries, we must of course expect to find an undue timidity, and a cramping of scientific energies by the religious and ecclesiastical demands of the time. Accordingly, they excluded not only whatever (in their view) opposed the essential truths of Christianity, but whatever seemed to have a *Catholic* tendency. Even so, there was an ample field for a single generation to cultivate, had there been ever so great intellectual activity. They did not however fill out the space thus accorded to them. It was only a small minority that had taken offence at the study of Pagan Classics; yet those studies went into decay. Still fewer despised all knowledge; for at the Universities it was a cherished belief that learning (in languages especially) was "a handmaid to Theology:" yet this avowal remained

a barren and dead creed. Theological disputes were indeed the great business of the day; nevertheless, in the education of youth no prominence was given to their living fruits,—the moral and spiritual elements of religion.

We have already seen that in this respect, the Universities were very far from satisfying even the most moderate claims. Cramped and torpid as was the intellectual working,—in no small measure as a result of the rigorism of the times,—there was energy enough and to spare in licentiousness and immorality; so far as these can manifest themselves in worldly enjoyments of every kind. To understand these phenomena the better, we must consider a peculiarity in the position of the Universities at that time.

The importance which they had attained in all eyes, was in many respects a gratifying, and at least it was an inevitable, result of the crisis: but in consequence, the Universities became a field of battle for the intrigues of self-interest in the different parties of the State. The struggle between the stricter and laxer Calvinists, the Puritans and Arminians, as they were afterwards called, who strove each to eject the other; might have had a compensation in the religious and moral developement of character: for neither party was without a higher inspiration, however little able to keep clear of more impure and more dangerous negative elements. But self-interest not only imparted to the

contest the most immoral and hateful character; but placed every thing on so false a footing, that the worst side and tendency of each party was sure to predominate. The rigorism of the one fettered intellectual activity; the laxity of the other broke down indispensable moral barriers.

The last words bear more particularly on Oxford: and precisely there it is, that the evil may be traced to the iniquity of influential individuals. All this will be perfectly clear to those who have acquaintance with the history of that time, when we state that it was LEICESTER, so many years the favorite of the Virgin-Queen, who during three and twenty years (from 1565 to 1588) exercised, as Chancellor, an influence shackled by no law, no right, no moral consideration; but determined simply by his own personal interests. The corruptness of this man is as generally known, as his total deficiency (so often proved) in all practical ability. His personal intimacy with his Sovereign Mistress is of course an enigma to those, who gratuitously embellish the latter with false lustre. Be that as it may; the character of this Chancellor and his coterie, is enough to explain even the worst phenomena of Oxford: nor can we be surprised, that as soon as he recognized in the University a useful tool, he used it unscrupulously. He bestowed upon his servants and creatures all academic influence and emoluments, without care for the rights and claims of men or things. What qualities and services

recommended these personages to him, we conjecture from the character of the Patron; and our auguries are confirmed by all the known facts of the case. From many passages in Wood to this effect, I may be allowed here to adduce the most characteristic.

§ 185. *Wood's testimony concerning Leicester as Chancellor of Oxford.*

"Being despotic in the administration of his kingdom" [the University] "he did what he pleased among the delegates, (legatos,) whose proceedings and plans he ascertained secretly and instantly by help of some of his creatures (clientum) especially Dr. G. Baylie &c. . . . This individual obtained great and rich possessions under the auspices of the Earl. It is related of Culpepper also, that relying upon the Earl's favor and power, he employed to evil purposes the authority, which, as Head, he possessed over the Fellows of his College &c. M. Atye, who was the Earl's secretary, making use of his letters, induced certain Colleges to grant him at a low rate* the occupation, long leases, and reversions, of their landed estates &c. . . . Need I add that he inflicted immense loss on Merton College, in extorting from the Fellows the manor of Malden for five hundred years, that is, for ever?"

[* Possessionem, et latifundiorum demissiones diutinas, et reversiones.]

It is very characteristic, that Baylie, his favorite, fell into disgrace, because he would not go so far, as to share in the misdeeds to which Leicester's wife, — the unfortunate Amy, immortalised by Scott, — fell a victim. Allen, another of his creatures, came under the Earl's displeasure for the sympathy, which in a funeral sermon he had shown for the unhappy woman. "Under the Earl's reign," says Wood farther on, "the University suffered considerable injury; since he conferred places of authority, and other academic posts generally, at will; the Gownsmen yielding to him either through hope or fear."

He proceeds to complain of the licentiousnesss coarseness, arrogance and vanity in dress, of the scholars of the time; and finally, he contrasts these abominable practices with the Scriptural phrases, which filled the letters and discourses of the Chancellor.

§ 186. *Intrigue is complicated by the anti-Puritanical tendencies of the Queen.*

The Queen herself, as is well known, constantly evinced the most decided antipathy to the Puritan party. To say nothing of individual and transitory influences, she was deeply convinced of the maxim, which has been concisely expressed by: "No Bishop, no King." Monarchal and High Church principles have a most intimate mutual

sympathy, alike in their most essential and worthy, and in their most unessential and unworthy points; and a corresponding repugnance may be expected between Monarchy and Low Church doctrines. The School of Prelates which had passed through these stormy times, had contrived to retain Court-favor not under Edward VI. only, but even in part under Mary. Their higher worldly cultivation; their pliability; their forms, in part more dignified, in part more frivolous; and their whole disposition, so ready for the most refined or for the most abject flattery; were highly agreeable to the Queen's female vanity: while her monarchal instincts and interests were, as naturally, attracted by the unlimited power, which the same School conceded to the Crown in Church, and shortly afterwards in State. On the other hand the democratic tendency of the Puritans, (although it may at first have kept upon ecclesiastical ground,) was as offensive to her loyalty, as their rough, severe, and dark manners to her womanhood. Upon every visit to Oxford or Woodstock she gave sharp hits at the Puritans, sometimes hard blows. Opportunities for a display of her vanity occurred more frequently perhaps at the Universities than elsewhere; on account of the confidential connexion, so to say, which she had from the very first established with those bodies. Even at the later period she was very far from entirely yielding up this whole sphere to her favorite: on the

contrary she delighted to interfere now and then with academic affairs, even in the pettiest details. We do not question whether real attachment to learning and the learned, and also more serious political considerations co-operated: but it is just as certain that the interests and rights of the Universities and Colleges were often sacrificed to paltry self-interest.

The nature of the Queen's interference may be seen in an instance communicated by Ellis.* In this case Elizabeth endeavored to compel All Souls' College, contrary to its established custom, to let out certain woods to her favorite Lady Stafford, upon conditions evidently disadvantageous to the College. The result in that case, is not very clear: but there is something characteristic in the humble and lamentable remonstrances made by the distressed Fellows. A deputation sent by them to Court was not received; but was ordered only to give in the names of all who composed it. The fear however, of personal grievous consequences was so great, that without further effort they forthwith slunk away. Not that this comes in the shape of direct usurpation: it was only a misuse of the patriarchal influence, which the Queen arrogated to herself, and which none could or durst resist, when she chose to exert it. This influence lay, partly in the peculiar position of the Universities with regard to the Crown, especially since the Reformation; and partly in the more simple patriarchal habits and feelings of the times in general.

[* See "Letters Illustrative," &c. 2nd Series, iii. 128.]

§ 187. *Leicester, as Patron of the Puritans.*

We are now to see, how hypocrisy was aggravated by this position of things. The Queen herself naturally exercised her patronage without disguise and openly; but those of her counsellors who inclined towards the Puritans, could not do the same: and among these was Leicester. He courted the Puritans, (as an aspiring usurper makes friends of a democracy against the Nobles,) seeking for another prop to his power in them, beside the favor of the Queen: and in fact, the elevation which that favor conferred, made him appear, in spite of his nothingness, a head of that rising party. Not that there could be any spiritual affinity between him and their better elements. The bottom of the connexion probably lay in their relations with the Protestants of the Netherlands; upon which country Leicester had fixed an eye of ambition: but the unnatural alliance had a mischievous moral effect on the party, both within and without the University. Such a connexion could only be a source of continual hypocrisy of the deepest dye. What in fact could do greater damage to moral and religious conscientiousness, than the puritanical phrases uttered and the corresponding part played by men such as Leicester and his mates? There is no doubt however, that this poison sunk only too deep into the very life of the University, and

ASIATIC SO

ROBERT DUDLEY,

Earl of Leicester

Chancellor of the University of Oxford

A.D. 1565–1588

Day & Haghe Lith.rs to the Queen.

seized more or less upon all who had not rid themselves of more serious thoughts in the intoxication of worldly pleasure. Meanwhile, as the favorite was obliged to exercise his patronage with the greatest management and secrecy, whenever it could at all clash with that of his Royal Mistress, here was a new call for hypocrisy. Publicly and before the Queen, Arminian tendencies were favored: but secretly and in real fact, every influence and advantage was bestowed upon the other side. Here again lay an occasion of falsity to both of the parties. For Arminianism was, more or less, in contradiction with the official dogma of the ruling Church; (a fact which could only be got over by numerous evasions:) on the other hand, the Puritans, who agreed with the official dogma, had not only to use some evasion in dealing with the principles openly favored by the Court, but, in their relations with the Chancellor, to renounce all the principles of religion and morality. Remembering also the violence of the passions, and energy of the characters, of that time; the half Republican constitution of the Universities, and their highly intricate position; we shall be at no loss to imagine what tangled and unscrupulous measures were employed for personal or party ends. We cannot doubt what must have been the moral condition of the higher academicians, or how this poison worked among the lower members. Indeed, through the whole nation

the most injurious consequences were unavoidable; and the high calling and nature of the Universities, from its very contrast, must have deepened the evil. It is clear that such moral corruption would cripple and smother all healthy expansion of intellect. Even in our days and in the walks of learning, may be found like complications, like inconsistencies, a like deep and tangled lie. At the same time, I will not undertake to decide, whether it is an advantage or not, that the caldron of iniquity now boils less noisily than then, and less throws up to the surface its base and odious ingredients; that the screen which our politeness spreads over these foul matters is thicker and more decent; and that characters and passions are less energetic or less concentrated. Certainly the fermenting elements will not for ever be repressed; and the texture of our decent screen will at length rot and rend.

§ 188. *Last contest of Northern and Southernmen, in electing Leicester's Successor.*

Disadvantageous effects to the progress of intellect must also have arisen from the fact that the Puritan Patron was upon the whole and in the long run more powerful in the University than the Queen. Beside his great influence with her, she was so drawn off by more important avocations that she could only work by impulse and

occasionally: she might, then, be deceived as to the characters of men, and have her intentions frustrated in the execution. Although we have no detailed information, it is certain that during the greater part of Leicester's Chancellorship the Puritans decidedly swayed the University. Consciousness of their superiority, not seldom led to violent demonstrations in the younger masses of the party, which (even when provoked by opponents) cannot have been approved of by the politic leaders. We have already remarked that the chief strength of the University Puritans lay among North Englishmen and Scotchmen. That this was the case, especially with the *Teachers*, may be deduced partly from general well known facts, and partly from a remarkable phrase used by Wood,* who calls the whole Puritan system "a Northern tempest." About this period the Northern and Southernmen are mentioned for the last time. This happened in 1587, just after the death of Leicester; in consequence of which a new Chancellor was to be elected, and Puritans and Episcopalians fought against each other for their candidate.

* Wood i. 301. See also under the year 1587. — It is not altogether an unimportant fact, that the Dudleys (Leicester's family) were from the North of England. Wood it is true, does not connect the fresh conflicts which took place between the Northernmen and the Southernmen with the religious party-differences, but confesses he is ignorant of the motive. He ascribes also a considerable share of these disorders to the Welsh, without explaining exactly how. In general however we must not look to Wood for any thing beyond isolated fact; least of all for any kind of combination, however evident it may be.

We need not wonder, if whatever had seemed to have been done by formal Statute or official rule for the promotion of profane Literature, was practically counteracted by a party which had evinced distrust and antipathy toward these studies more decidedly, in proportion as the opposing principles assumed a more definite shape.* Much less need we be surprised, that in England as well as elsewhere, theological learning turned into theological controversy. Indeed the latter is ordinarily a productive field, in which at all events men's minds are excited, and (whatever may be advanced to the contrary) intellectual powers do find room to act. But under the curse of falsehood, which then weighed upon the whole academic life, it lost the only value which it could have. The enmity of men's feelings was not softened, though the utterance of it was restricted. Whoever publicly defended strong Calvinistic views had to fear the anger of the Queen and of the Court: while he who openly defended laxer principles had to count upon the secret vengeance of the Puritans and their patron. Under such circumstances, learned or eminent men on neither side were likely to use the Chair or the Pulpit for serious and profound

* Wood expressly mentions this repeatedly, and it would be of no use to suspect his testimony on account of his antipathy to the Puritans, as so many characteristic traits agree with him in this point. Besides, he always does full justice to all the better men of the party, such as Humphreys. We are speaking here moreover of the *profane*, not of the theological studies.

discussion. Only to put down uncalculating fanatics was for the interest of all parties, and thus the equivocal honor of acting as champion at this post was left to perfectly unimportant personages. Of these there is seldom any want: though we have already seen (in the case of the Latin sermons* to the clergy) that it was not always possible to supply them even of the most pitiful quality.

§ 189. *State of Oxford after Leicester's death.*

Such was the state of the University of Oxford during the greater part of the much bepraised Elizabethan age, that is to say, up to the death of her first favorite. This event could not be without its effect on the University. The greatest exertions were made by both parties to carry the election of their own candidates. The Episcopalians declared for the Lord Chancellor Hatton: the Puritans for the Earl of Essex; who was not behind hand in suing for a post, the political importance of which had been made evident by Leicester. Hatton having obtained a majority in the Convocation, was confirmed by the Queen; who, it would appear, had at last opened her eyes to Leicester's proceedings at Oxford. About this time also there appears in all the government-measures a much greater severity

* Elizabeth also granted, either to the Universities or to the Church, the privilege to send out yearly twelve men to preach every where in England. This remained, as did so much else, mere empty form; material means without spirit.

against Nonconformists, from which the Puritans did not altogether escape; although it naturally fell for the most part upon the Catholics. In 1591 also, after Hatton's death, when the Puritans again tried to bring-in Essex, and the opposite party voted for the Lord Treasurer Buckhurst; the Queen declared herself so decidedly in favor of the latter, that his election was secured; although with no very decisive majority.* Thus after Leicester's death began a new epoch in the history of the Universities, which was consecrated as it were by another solemn visit on the part of the Queen.

The new regime at first showed itself as a sort of re-action against the Puritans, who nevertheless could not complain of extraordinary or violent measures. They had learnt also doubtless in their political schooling up to that period, to avoid occasions of offence. An additional trait in the new administration, was, the effort to control the abuses and disorders which had broken out; to appeal to and enforce existing but neglected laws. Neither the studies nor the discipline were neglected: though we find no traces of any thing essentially new. Yet the results appear not to have been altogether unfavorable, and imply a state more tolerable at least than what preceded.†

* Particulars may be found in Wood's Fasti Oxon: Ed. Bliss.

† Wood's favorable testimony is too vague in itself to be taken verbally; and besides, the complaints which were often repeated even later, as to the coarse excesses, drunkenness, and licentiousness of the students, prove

The formal measures and the words of the new governing powers would not have sufficed to guarantee these improvements, slight as they were. But both Hatton and Buckhurst were, in comparison with Leicester, honorable men: and this permits a favorable conclusion as to the persons upon whom they bestowed their confidence. At least it was easy for these to appear respectable after any one of Leicester's creatures. Moreover one source of detestable intrigues was now done away, — the secret patronage of the Chancellor undermining the open patronage of the Court. The opposing parties might now take up a purer and more open position. One stood forward as favored and dominant, the other as oppressed. Such a position, it is true, was not without its drawbacks, and was distressing to the weaker party: yet it was infinitely preferable to the previous complication of intrigues. Finally, it was a great advantage of this new period, that the University was left more to itself. However it be accounted for, it cannot be denied, that the continual interference even in minute details, in which Leicester indulged for the most despicable ends, was not continued by his successors even in behalf of the proposed reforms. These measures, on the contrary, were left much more in the hands of the

that Leicester's leaven had not so easily been purged out. The *principles* of the new Chancellor were laid before the University in 1596. They contained nothing but what is understood as matter of course.

academic authorities themselves. Elizabeth also, probably on account of her increased age and weariness of spirit, let the Universities go more out of her sight. Nearly the same remarks will apply also to the prevailing character of the Universities under the two following reigns. But before going on so far, we must bestow a glance at Cambridge, as it was under Elizabeth.

§ 190. *General remarks on Cambridge during the reign of Elizabeth.*

All that we can collect from the accounts before us, (which at this, as at all other earlier periods, are much more unsatisfactory and scanty with respect to Cambridge than Oxford,)* may be comprised in the following. Cambridge suffered in common with Oxford, from the national causes which were injurious to intellectual life, and from the intercourse with the Capital, which was disadvantageous to the academic discipline. In each University the academic population was broken up into parties, whose efforts had quite enough that was both bad and mischievous, in aim as well as means. During many years a double patronage was established at Cambridge also;—the open one of the Court in favor of Episcopalians, and the

* The tasteless and scanty manner in which Dyer treats of this whole period, is incredible and insufferable. Fuller is our only source of knowledge on this subject; and it is one too which flows sparingly and muddily enough.

secret one of the two consecutive Chancellors* in favor of the Puritans. The same effects as at Oxford resulted, more or less: nevertheless the state of things at Cambridge, as to discipline and moral cultivation, appears to have been more gratifying than at the sister University. We cannot question that the fact was connected with the difference of spirit between them already observed; which also gave rise to the new Cambridge statutes. If we seek to trace the source of this spirit, we are led back (as we were in Oxford in a contrary way) to personal influences. They are certainly in this case more fortuitous and temporary: but they had a permanent effect by means of the impulse given and the enactments made. Both Cecil and Essex were in every respect infinitely superior to Leicester: their position quite different and more honorable. Cecil's influence reposed on his high services to the state, and were proportionally independent of the caprices of the Queen and even of party interests. In the heart of such a man as Essex also, academic intrigue could at most have only a very subordinate place. To enjoy academic patronage, could never have been an object of the same interest to these men as to Leicester; and they would have despised the means which he employed. Nor could their patronage, even as far as it went, have the same hateful and deeply immoral character: since their means and

* Cecil from 1559 to 1594; and Essex to 1600.

agents could never be quite unworthy of them. In result, the Cambridge system grew up in a much more independent manner. I must not be understood to mean (what was then no where possible) that such toleration and freedom was granted, as the present age boasts. I mean merely, that the influences which decided victory to one party, were less obviously extra-academical than at Oxford.

That which in Oxford became possible only after Leicester's death, occurred much earlier in Cambridge: namely, an avowed preponderance of the Episcopalians, as the result of their real superiority in the University itself, through their power among the Heads of Houses. It was but natural that such men as Parker and afterwards Whitgift, as leaders of the Episcopalians, should persist in carrying their measures in the senate, even without a very great majority, in spite of any discontent which their proceedings excited in the Chancellors. The Queen's confidence and consideration toward them, strengthened their hands: and both of them, especially Whitgift, after their elevation to the highest ecclesiastical honors, continued to protect their party at the Universities, and retained their influence in academic affairs. This influence however did not destroy all independence at Cambridge, in the same degree as had been done at Oxford under Leicester's profligate reign. Whitgift, besides, still retained his former position at the University, to which indeed he altogether belonged; so that his

MATTHEW PARKER D. D.

Archbishop of Canterbury.

Died A.D. 1572.

Day & Haghe Lith.rs to the Queen

exertions of power were quite different in kind from Leicester's encroachments; which were as immoderate, as uncalled for.*

These party collisions in Cambridge however, and the putting down of so numerous a body as the Puritans, could not take place altogether without severities, and without many more or less hateful measures. Whitgift's contentions with Cartwright, which ended in the removal of the latter from his post; the proceedings against Baron and Chatterton and similar facts, offer only too many instances of the kind. At the same time there is no denying a very considerable difference between these occurrences and the manœuvres which were the order of the day at Oxford. The individuals concerned are in every way more respectable: in the party-aims (which are not altogether without a higher purpose) much less of mere personality appears. The means employed were much more open, much less spiteful; and by no means go beyond the average proportion of what, at all times, in all complicated positions,

* It may be asked how it came to pass that first Cecil, and then Essex, were chosen as Chancellors, when the Puritans had not the majority. Neither of the two however was very decidedly Puritanical, and both must in many other respects have been decidedly agreeable to all; so that they naturally gained a majority, where the parties were about equally numerous. Besides, when Cecil was elected, the opposing principles had not been so decidedly formed, and Essex, at his election stood upon the highest pinnacle of Royal favor. It is remarkable by the way, that Cambridge, during the sixteenth century, lost no fewer than *five* Chancellors by the axe of the executioner: — Fisher, Cromwell, Somerset, Northumberland and Essex.

has been done or suffered by the most honorably intentioned parties. The preponderance of the Episcopalians was in itself a guarantee, that intellectual culture should not sink to so low an ebb as at Oxford. Classical and probably also mathematical studies, if not very zealously promoted, met at least with sufferance from this party; and were not thwarted, purposely and on principle, as by the Puritans at Oxford.

NOTES.

NOTE (1) REFERRED TO IN PAGE 33.

Separation of Theology from other Branches of Study.

PLENTY of documentary evidence in support of what I have said concerning the forming of Theology into a Faculty by itself, may be found in Bulæus (ii. 556 — 599 and iii. *passim*). I will only notice a single passage which bears especially on the subject. The extreme difficulty that was found even in the beginning of the thirteenth century, to draw the line between Theology and Arts, appears by the repeated attempts of the Popes, to keep separate those two streams, which with all their pains to hinder it, perpetually reunited. The Church-dogmas were incessantly attacked and disturbed by speculative philosophy. The Papal Bull of 1207, (Bulæus iii. 36,) is very characteristic on this head. In it the Bishop of Paris is ordered to take especial care that no more than eight Masters should give Theological Lectures. So arbitrary a limit would not have been fixed on, could any natural limit have been found. In a bull of the year 1210 (l. c. 60) the Teachers of *Holy Writ*, of the *Decretals*, and of the *Liberal Arts*, are distinguished by name only; and in an affair concerning a *Master of Arts*, the title is used in a general sense. On the contrary, in the Constitution of Gregory IX. of the year 1231, (Bul. iii. 140) the Teachers of the *Holy Writ* and of the *Decretals* are decidedly separated from those of *Physics*, *Arts*, and *others*. (The arbitrary limit as to number of course fell to the ground, now that a natural one had gradually formed.) The Chancellor is recommended therein to grant his license to teach *this*, as well as the *other* branches

of learning, to persons, who have satisfied him and the Teachers, of their capability. In the latter half of the thirteenth century, indeed, we find that another and wider division took place, by the formation of separate Faculties for the Theologians and the Decretists. But the Faculy of Theology, which is known to have been established, as such, in 1260, did not rise out of any extension of Science at that period, but was a mere division of labor between the *clergy*, secular and monastic, on the one hand, and *laymen*, on the other; who had hitherto, all in common, taught Theological Philosophy, (or Philosophical Theology,) and the Canonical Law. By this means, a still further separation of the Canonical Law was brought about, from which branch however, laymen would not allow themselves to be entirely driven; though this must have taken place, if it had become a monopoly for the clerical Faculty. At the same period (about the year 1270) the Faculty of Medicine arose of its own accord. It is indeed true, that the expression "*physici*" occurs in the Bull of Pope Gregory (1231) and even earlier; but we must not suppose the terms to be applied solely to the study of *medicine*, but (especially in the Bulls which forbid the study to ecclesiastics) the term signifies the new Arabi*zed* Natural Philosophy or Physics of Aristotle, which originally belonged to Arts, and only much later was incorporated with Medicine.

Note (2) referred to in Page 39.

Connexion of the Universities with the Church.

Few words will suffice to prove that *Meiners*, who on this point, is undoubtedly the source of all later representations, has quite misunderstood the evidence before him. The Chronicles and other documents of Paris give account of a riot in the year 1200, in which many of the students were not only roughly treated by the citizens, but arrested and punished by the Royal Provost. Hereupon an ordinance was issued by the King, expressly and solely to forbid all future encroachments of this kind on the Ecclesiastical jurisdiction, but not at all implying that now

for the first time Academicians were to be subjected to this jurisdiction. Neither this document, nor any other chronicle of the period, contains a word to justify any such conclusion: in fact it includes the Canonists of Paris by name, in the same right as the Academicians: "*also the Canonists of the University of Paris and their servants are comprehended in this privilege.*" Bul. iii. 3. Now no one will say that the Canonists were now for the first time subjected to the Ecclesiastical jurisdiction! Besides, if the case were otherwise, the Provost would have been free from blame, since his conduct would have been no encroachment upon the Ecclesiastical jurisdiction. It was quite a parallel case, which happened in the year 1209, when several students of the University of Oxford were imprisoned by the civil authorities and afterwards executed by order of the King: an affair which, like the other, has been misunderstood. Here too was a direct attack on existing rights and privileges; as is proved by the whole course of the affair, and by the clear testimony of extant documents. Matthew of Paris says distinctly, that the transaction took place in contempt of Ecclesiastical exemptions — and in the document which contains the decision given by the Pope's Legate, we find among other things: "*nor by any means shall ye devise in these or in other matters, any thing whereby the* JURISDICTION *of the aforesaid Bishop of Lincoln may be injured, or his right or that of his church be diminished.*" (Wood ad 1214.) After this, we require no further proofs. It is only wonderful how so palpable a mistake has occurred.

POSTSCRIPT.

The *History of the Calamities of Abelard,* which I have since seen, contains the most decided refutation of Meiners's opinion, and the very best confirmation of my own, relative to the connexion of the Universities with the Church; which I could have desired.

NOTE (3) REFERRED TO IN PAGE 40.

Corporate Privileges of the University of Paris.

Even the privilege granted by Innocent IV. "*de non trahi extra,*" on which Meiners lays so great stress, is merely intended, *negatively*, to protect them against very gross vexations on the part of exterior tribunals. Indeed it was the jurisdiction of the *Bishops* far more than of the University, which the Bull went to support; and the privileges of the University *Rector* came in only secondarily. (I cannot here mark out the line between the two.) The more important points relating to the corporate privileges of the University of Paris in their widest extent will be found, clearly expressed, in the "Constitution" of Gregory IX., of the year 1231. (Bulæus iii. 141.) "Moreover, forasmuch as* shagginess soon overgrows us, if order secure not neatness, we [hereby] grant the right TO MAKE thoughtful RULES and regulations, concerning the manner and time of lecturing and discussing, concerning costume and funeral ceremonies; also concerning *Bachelors*, who of them should deliver lectures, and at what hour and on what subject, as also concerning the rating of lodgings, or when necessary, the putting a ban upon them: likewise, in case of disobedience to these same rules, TO PUNISH the offenders suitably by excluding them from intercourse. And in case you should be ejected from the tenancy of the lodging houses, or, (what GOD forbid!) some enormous injury or outbreak take place against any of you, such as death or the mutilation of limbs; unless suitable redress be made within fifteen days, take my permission to SUSPEND the lectures until the proper satisfaction be given. And if it shall happen to any of you to be unjustly imprisoned, be it lawful for you to stop lectures, unless upon previous admonition the injury is discontinued; provided however that you yourselves shall judge this expedient. We further enjoin, that the Bishop of Paris so punish excesses, that the propriety of the scholars be preserved and crime pass not unpunished, and that the innocent on no account suffer for the offences of others. Farther, if reasonable suspicion has arisen

* [The Latin is,— Ubi non est ordo, facile repit *horror*.]

against any one and he has been rightly arrested; yet after giving adequate bail and paying the gaolers' fees, let him be dismissed. But, if he has committed a crime deserving imprisonment, the *Bishop* shall keep the culprit in ward, as the Chancellor is absolutely forbidden to have a prison of his own."

* Note (4) referred to in Page 47.

On the Antiquity of the Oxford Schools.

I have already shown in the proper place, that the question, whether Alfred founded or at least restored schools at Oxford, by no means depends for its reply upon the authenticity of the disputed passage in Asser "on the Deeds of Alfred." In fact after all, if the passage be wholly spurious, that proves nothing, but that this short biography has failed to notice several more or less important details; that it narrates Alfred's merits only in general terms, his acquirements and knowledge — the patronage he extended to learned men, and his efforts in their favor, by the foundation of scientific institutions — without specifying any precise spot. He mentions, however, a peculiar kind of schools, evidently corresponding to those, which Charlemagne connected with his own court and household: "Moreover, as to the sons of those who lived in the Royal Household; loving them as dearly as his own, he ceased not to instruct them in good morals and to imbue them with good literature," (v. Asser, ed. Wise, p. 44:) and further on he says, "and he distributed the third part of his wealth to the school which he had got together with great care, out of many nobles of his own nation." (v. id: p. 67.) When now we find (as already mentioned) the most undoubted proofs, that a school existed at Oxford in the middle of the eleventh century (v. Ingulf) and since then, without interruption;— when we cannot find any epoch to which we could reasonably ascribe the foundation of these institutions, except that at which Alfred lived;— all sound historical judgment would lead us to ascribe the foundation to Alfred.

* [This Note appears in the German under the title of *Appendix* iv.]

Now in fact, ever since the commencement of the twelfth century, these schools have been ascribed to him, partly, by some of the most credible chroniclers of the day, and partly, by general report. To him also does tradition assign a monument. (the *Cryptum Grimbaldi*) which at all events, belongs to *that period;* and to the date of his reign is the building of St. Mary's Church referred; a church, which from the very earliest times accredited by documents, the University has used, as well for academic purposes, as for divine service.

The most ancient known testimony to Alfred's patronage of Oxford, is in the annals of the pseudo-Asser (Gale i.) of the eleventh century. The next extant is, the passage already quoted (vol. i, p. 66)* from William of Malmesbury; afterwards that of Sprott, in the second half of the thirteenth century. As this last passage is important in other respects, and is less known, I will cite it here (v. Sprottii Chron. ed. Hearne, p. 105). "Alfred" it says, "was first to set up the public schools at Oxford, and provided them with many privileges. This great bestower of alms, hearer of Masses, and deviser of unknown things, divided his revenue into two parts, forming of the first, three subdivisions, viz: for the royal ministers of his household, the different workmen employed, and the foreigners who visited his court, (*advenis confluentibus,*) and, of the second, four subdivisions, viz: for the poor, for the reparation of the Monasteries, for the scholars lately congregated together at Oxford, and for the restoration of the Churches." This passage is the more important, as it shows the Oxford schools to have been originally the *Royal* or *Court* schools; thus conspiring with those traits in the later academic constitution, which prove that the University of Oxford did not develope itself like others, out of a monastic or chapitral school: nor indeed is there any evidence whatever that it did. I shall afterwards exhibit testimonies, which place the existence of a Royal residence at Oxford in Alfred's time beyond a doubt.

* [Vol. I, p. 66 of the German, in a Note, the Author quotes the words of William of Malmesbury, who lived AD. 1095 — 1143: "King Alfred often visited Neoth, . . . and by his advice originated the public Schools of various arts at Oxford."—Extracted from Bulæus i. 223.]

It does not affect the main point, to know that certain Chroniclers attribute to Alfred's brother Neoth the first impulse given to the foundation; and that a like confusion prevails concerning the *Saxon School* in Rome; which, (Asser says,) was patronized by Alfred. For us, it is enough, that, up to the beginning of the eighteenth century, no one doubted that Alfred had at least restored, if not founded, the University. The first doubt (v. Wise, p. 162) was expressed by Smith, in his edition of Bede: for the dispute which dates from the fifteenth century, was solely, "Whether schools did or did not exist at Oxford *before* Alfred, and *at the time of the ancient Britons*;" a question which does not concern us; since at any rate, after the devastations that had taken place, Alfred might be considered, both by contemporaries and by posterity, as *bond fide* their Founder. Herein the disputed passage in Asser, *if genuine*, would certainly be important, as establishing that the Oxford schools had a *British* origin.

Let us, however, examine the disputed passage itself, which is wanting in Parker's edition of Asser (1574) and appears first in that published by Camden (1603). "In the same year (886)," it runs, "a most dreadful and violent discord arose at Oxford, between Grimbold and those learned men whom he had brought thither with him, [and the more ancient scholastics whom he found there, and who refused to embrace those laws, fashions and forms of study, which the said Grimbold had instituted there upon his arrival. During three years the dissension was not very great among them: but the hatred was concealed, which afterwards broke out with the greatest atrocity. At last, it was clearer than daylight; so the most invincible King Alfred, having been better informed of this discord by messages and complaints from Grimbold, betook himself to Oxford, in order to place some bounds and put an end to this controversy: indeed he underwent great labor himself, in hearing the statements and complaints brought forward on both sides. The chief dispute turned on the following point:—the old scholastics contended, that before Grimbold came to Oxford, letters had flourished there in every branch, although the scholars might have been fewer in number, in times

so sad,* many having been expelled by the cruelty and tyranny of the pagans. They also proved, and showed by the undoubted testimony of their old annals, that their ordinances and institutions had been established and ratified by several pious and learned men, as for instance, the blessed Gilda, Melchinus, Nennius, Kentigernus, and others, who had grown old there in letters, and had administered affairs there in peace and concord — that a blessed German also had come to Oxford, and had resided there half a year, while travelling about Britain, to preach against the Pelagian heresies, and that he had admired their ordinances and institutions beyond all measure.] The King, with unheard-of condescension, listened with accurate attention to both sides, and having advised them again and again, with pious and salutary exhortations, to preserve mutual peace and concord among themselves, left the place, with the expectation, that on both sides they would embrace his counsel, and submit to his commands. But Grimbold being angry at this, immediately went over to the monastery of Winchester, recently founded by Alfred, and had the tomb, in which he had intended to have his bones placed after ending this life, transferred to Winchester, from the vault where it was under the chancel of St. Peter at Oxford, which Church the said Grimbold had caused to be built from its very foundation, of highly polished stone." (v. Asser, ed. Wise, pp. 52, 53.) It is well known, that, in the dispute, which was carried on with great acrimony between the Oxford and Cambridge antiquaries (Caius, Th. Caius, and Bryan Twyn) respecting the greater antiquity of the one or other University, the Oxford men stated that in the Cotton manuscript which Barker had used, a passage had been lost, and, on the other hand, the Cambridge men insisted that the Saville manuscript which Camden had edited, contained an interpolation. We shall confine ourselves here, to the more reasonable statements connected with this matter, and shall not attempt to disprove the intentional falsification, so boldly imputed to highly respectable and (for their time) very learned men: in fact, there is no foundation whatever for such assertions.

* [The Latin is corrupt: *quam tristis temporibus*, should perhaps be: *tam tristibus temporibus.*]

That Camden did not show his manuscript to anybody, as it appears, proves only that then, even more than now, there existed a coarse, distrustful pedantry, irritated and increased by bitter attacks. A comparison of the two manuscripts would certainly be desirable; but neither of them any longer exists;—the Cottonian having been destroyed, when the Cotton Library was burned down, and the Camden manuscript having been lost, I know not how. According to the accounts which have reached us (v. more particularly Wise) the Cotton manuscript was the more ancient, and went back, partly as far as the year 1000: other portions, however, were of later date. The impugners of the Camden passage (and principally Usher) assert, that the pages, in which the passage, if genuine, would have appeared, belonged to the oldest part: but these very witnesses were so devoid of all competence to judge in such matters, as to take the common *Latin* writing used in the manuscript, (the facsimile is in Wise,) for Saxon. After such a mistake, but little importance can be attached to their evidence. We may be sure however that there was no visible gap in that manuscript: and consequently the supposition, that the passage was expunged in some manner or by some one or other, cannot be entertained.

The Saville Codex is, according to Camden's own testimony, not older than the time of Richard II. Upon this point we may quote the result of a conversation which Bryan Twyn had with Camden upon this subject, in February 1622, which Wood has given us under a Notary's sign and seal (v. Wood i. 16). Camden had declared in a somewhat evasive manner, that this passage was not even required to prove the existence of the University before Alfred's time. "Upon Twyn's urging him, to say precisely, whether he had received this passage from some one else, on whose authority he ascribed it to Asser, or had himself taken it from any approved copy of Asser's work, Camden replied, that his history of Asser had been edited entire, upon the faith of a manuscript then in his possession, in which were found the very words about which these doubts are now raised, and which do not appear in other copies. He added also, upon Twyn's

demanding the age of his manuscript, that he himself judged it to have been written in the time of Richard II. All these things, Bryan Twyn, a most diligent enquirer into antiquity, transmitted to posterity, subscribed by his own hand, and confirmed by solemn oath," &c. Having established these facts, the question next arises, whether the non-existence of the passages in the one manuscript, authorises us to conclude that it is interpolated in the other? Certainly no one would directly and unconditionally answer in the affirmative. The greater antiquity of the Cotton Manuscript is by no means a sufficient reason for coming to such a decision, for, it is neither written by one hand, nor at one period of time, and (as is well known and acknowledged by Parker) it contains other, although perhaps inconsiderable gaps, as is very clear from the comparison of it, with the extracts given by Florence of Worcester († 1118). No other manuscripts, that I know, exist, except the "Lumley Manuscript," which, however, is very defective, and consequently cannot be taken as proof, against either the Camden or Parker MSS. Indced, although the contested passage is not given by Florence of Worcester, neither does this afford any testimony against the contents of the passage. It only proves, that the copy which he used was defective, although more complete than the Parker MS. So too, that none of the other Chroniclers have the *whole* passage, is natural: since we find that in other respects, they have merely copied or made extracts from their predecessors.

It would not, however, be rational to let the matter rest solely upon the WHOLE *passage*. We ought rather to enquire; whether some passage *borrowed from it*, or some account based upon it, is not to be found? It is of course possible, that the accounts, which connect the foundation of the Oxford schools with Alfred's *brother* Neoth, may be traced at least, in part and indirectly, to some manuscript of Asser. But if not, there must have existed an account independent of that of Asser, and, according to all appearances, a contemporaneous one, agreeing with that of Asser as far as regards the foundation of the schools by Alfred, but differing herein, that Neoth was included in it. The foundation of this

story would probably be a "Life of St. Neoth," of which however I can find no mention. On the other hand, the words above cited from Sprott, do appear important in their bearing on the disputed passage. It is evidently (excepting the mention of Oxford) an extract from Asser, as is sufficiently clear by a comparison of the passages (v. ed. Wise, pp. 56, 65, 67). If Sprott did not write from Florence of Worcester (or from his manuscript of Asser) we must suppose there was a third still older account respecting Oxford: for, if Sprott's authority had given Neoth as the real originator of the schools, Neoth would of course have been mentioned in Sprott's own statement. But what right, we ask, have we to separate as heterogenous, the account which refers to Oxford from the whole of the rest of the passage, which is evidently borrowed from Asser? Certainly the silence of the Cotton Manuscript, and that made use of by Florence of Worcester, gives us no such right, as they have no pretensions to be the only perfect and correct ones. In fact there is nothing that can be reasonably objected against the conclusion, that Sprott made use, directly or indirectly, of an Asser Manuscript, in which he found mention made of Oxford. If any one suggest, that the passage may have been interpolated either by Sprott or by Hearne; in this way, there is an end of all criticism. Such an interpolation could have no conceivable motive; as in Sprott's time no one whatever, and even in Hearne's time, scarcely any of the very bitterest Cantabrigians, — nor even they seriously,— ever thought of contesting the origin of the University from Alfred's time. The dispute was only (as we have already said) about the *British* origin of the schools. Had people been inclined to interpolate they would not have interpolated the words "Alfred was *first* to set up the schools of Oxford." From *this* passage it appears moreover, that at all events, Sprott's extracts are borrowed (directly or indirectly) from an Asser Manuscript, which in this account also does not agree with the Saville Manuscript. And this again leads us to *another* suggestion,— What if the passage in the Saville Manuscript were not entirely an interpolation, but only in part? — If only that part of the passage were interpolated, for the interpolation of which the dispute

respecting the existence of the schools *before* the time of Alfred might have given some closely connected motive — *that* part, in fact, which if acknowledged to be genuine, would afford the most decisive testimony — indeed the only one that could be at all considered to afford such, in favor of that idea. Upon this supposition the following (interpolated words) might be left out, "*and the more ancient scholastics, whom he found there,*" &c. as far as the passage,— "*he had admired their ordinances and institutions beyond all measure,*"— and the following would still remain as evidence,—"*In the same year a most and dreadful violent discord arose in Oxford between Grimbold and those learned men whom he had carried thither with him: and the King, with unheard of condescension, having listened with accurate attention to both sides,*" &c. &c., and in conclusion, the account about Grimbold's going to Winchester, about his grave, the building of St. Peter's Church in Oxford, and the subterraneous chapel. Whether this latter notice about Grimbold be interpolated or not, does not matter much, as it has nothing to do with the chief point in discussion. But it might rather pass for an interpolation, on account of its length; while the very shortness of the genuine passage, that would remain on the above supposition, makes its being left out in some manuscripts intelligible. Besides, were the notice interpolated, it by no means follows, that it should be *untrue*. Judging by its *internal* truth and straightforwardness, it might very well have been taken from a genuine "Life of Grimbold." It would merely be the building of the Church, at most, that would form any opposition to this Chronology; if we were obliged to assume, that Grimbold was first appointed in 883, because the account of his appointment is mentioned between the events of the years 883 and 884. But this by no means follows from the connection of the whole; since several matters of a very different kind are related in the same passage, which took place at very different times, such, for instance, as Alfred's marriage, and the birth of his five children.

The manner in which I have attempted to explain and expound this contested passage, is certainly only conjectural: but, at the

same time, after all that has gone before, it is, assuredly, not a far-fetched conjecture. If we go further, moreover, we immediately meet the weightiest internal reasons confirming it. In the first place, the passage thus expunged, when compared in language, in grammar, &c. with the context, is essentially different, and of a coarser style. Besides, the reasons given for the dispute (" *Caput autem hujus contentionis,*" — " The chief dispute turned on the following point," &c.) are no reasons at all: mention is only made, in a very confused and anachronictic manner, of certain Oxford scholastics supposed to have been settled there before Alfred's time, who are dragged forth, without their presenting the least conclusion, or the least point bearing upon the quarrel itself. In fact, the whole passage would be intelligible only by supposing it to have been written *for the purpose of* making mention of these *scholastics,* and consequently of the *British* origin of the schools — i.e. for the purpose of casting a preponderating balance in favor of this opinion, into the scale of the quarrel. To be convinced of this, it is only necessary to observe the words with a moderate degree of attention.

We may also remark, that the expressions used by Camden towards *Twyn* " *that he stood in no need of this evidence to prove the antiquity of the University*" i. e. that it was *earlier* than Alfred, give rise to the conjecture, that Camden himself did not consider *that* part of the passage genuine, although he did not think it necessary to admit the fact. As regards those sentences, on the contrary, which *we* accept as genuine, they do not contain even a single suspicious symptom. That Asser did not in the course of his narrative mention the foundation of the Oxford schools in their right place, matters not, considering how the whole biography is put together, since he often refers to things as existing, the origin of which he has not narrated. That Grimbold and certain other scholastics took up their residence at Oxford, is evident from this passage. Who these companions of Grimbold were, and whether (as might appear from the account p. 46) he brought them over with him from Gaul, is not very clear: nor is this to our purpose. That a quarrel should break out among them, is by

no means surprising — that the King, with his usual wisdom and kindly feeling, should seek to re-establish peace among them is still less so — and it was natural for Asser, (who was just appointed to a post about the King, and was probably even present,) to mention these affairs, though he omits many others of perhaps greater importance, which did not come so immediately under his notice. If, now, we admit this passage to be authentic and to have existed also in the copy used by Sprott, his mode of alluding to it, (i. e. by barely stating the result,— that there was a school at Oxford,) is such as one might expect from the passage itself in Asser. *Vice versa*, the expression "was first to set up" evidently proves (as before remarked) that the part which we reject was not known to him. We are therefore justified in rejecting that part, without resting on the fact that it is omitted in the Cotton manuscript; an argument which proves too much. Nor is the greater antiquity of the Saville manuscript of any real weight against us, as, in fact, a manuscript of later date might have been copied from a more ancient and better one.

The date of the interpolation, which we surmise to have been made, is to us unimportant. As however it was in the reign of Richard II. that the disputes arose about the *British* origin of the Oxford schools, and the relative antiquity of the two scholastic bodies, (after which dispute soon followed the barbarous "*historiolæ*" of both the Universities,) we may conjecture that some copyist of the time, perhaps even the author of the Oxford "*historiola*" himself, or some one of the same stamp, perpetrated this fraud, "*for greater glory to our Foster Mother of Oxford.*"

We before observed that Asser's testimony is not essential to prove that the Oxford schools were founded by Alfred. If however it has now been shown that his witness to the fact agrees with every proof existing; it remains to ask only, what was the nature of the schools. As to this point, we are irresistibly led to believe, that it was no other than the school, "*which he had got together with great care out of many nobles of his own nation,*" and in which "*he had the sons of those who were connected with the Royal household instructed in good morals and*

imbued with good literature." In other words, the school, (like that of Charlemagne) connected with his own Court and Household. In fact, it would be difficult (see § 22 and Note (6)) to point out any spot, where such a school, or where the Royal Court if settled at all, could have been better situated, than at Oxford. That Alfred frequently abode at Oxford, is as certain, as that he had not his *residence* (or his Capital in a modern sense) there:— for in fact, he had *no* such fixed centre anywhere. It is then the more probable, that for the above-mentioned school he selected a spot in which he so frequently resided and which was so suitable in itself. This is still more confirmed, by recognizing the identity of the "*Oxford School*" mentioned by Asser (or at all events by Sprott after Asser) with the "Court School" (*Schola Palatii*) above alluded to. Indeed no author, ancient or modern, doubts that Oxford was a royal residence from the earliest time; and according to Ingram, the remains of such a palace were still to be found in 1800, upon the *Beaumonts*. I cannot however find express evidence that Alfred had a palace there, for I have not been able to discover the passage in the Domesday book, or in the "*Laws of the Saxons*," to which Ingram refers upon this point: yet proof can scarcely be necessary, since his frequent stay there speaks for itself. From the time of Henry Beauclerk, no doubt whatever can be entertained of the existence of such a palace. It is expressly mentioned, for instance, upon the occasion of the disturbances under Henry III. in 1265. Documentary notice is again made of it in 1318 (Malmesbury, Vita Edward II. ed: Hearne, 1729).

Assuming then the truth of the very probable conjecture, that the school at Oxford was no other than the Royal Court School, its history, in contrast with that of the Paris schools, will be very clear. The devastations and convulsions of the latter years of the Saxon period put an end at Oxford to the School of the Court (*as such*), as did the convulsions in Paris under the last successors of Charlemagne. In Paris, however, it ceased altogether, or rather was replaced by the Cathedral School and by that of St. Geneviève; but in Oxford, where there existed no *ecclesiastical* establishment,

none at least of much consequence, the schools remained as it were without any foundation. Hence arose, on the one hand their pitiful condition, the frequent interruption in their existence, and their almost entire destruction at the time of the conquest; but, on the other hand also, their greater independence of the Church; traces of which may be found, even when the *Ordinary*, through his Chancellor, enforced rights belonging to him by the whole constitution of the Church. The former tie, connecting the schools with the Royal Court and Chancellor, had been broken asunder, and was not taken up again by the two first Norman Princes, illiterate and warlike men: and hence it was that the Ordinary succeeded in establishing his claims.

Whether* after all this, doubts of any consequence can still be entertained, as to the origin of the Oxford schools in Alfred's time, I leave for competent judges to decide. But I hold those only to be competent judges, who are wholly free from that hypersceptical pseudo-criticism, which in modern times makes so much noise; accounting historical facts, (seemingly,) as a sort of game to be hunted down, or even as wild beasts, which it is called to root out and exterminate by fair means or foul.

On the other hand, as regards those accounts of the existence of schools in Oxford *before* Alfred's time, along with the fully-narrated stories connected therewith of Greekelade, Latinlade, Leechelade, Brutus, Bellositum, Memprich, &c., and the details relative to the schools *in* Alfred's time, which are solely based upon the wretched "*Historiola Oxon:*" (in Leland's Itinerary ix. p. 17, and also in "*Th. Caii Vindiciæ.*" ed. Hearne, 1730,) and upon the equally absurd and useless, although by many much overvalued *Antiq: Warewicensis* (Rous, Rossus hist. regum, &c., ed. Hearne, 1719,) I trust that no one will suppose, that I could seriously occupy myself about them, or seek to investigate the fabulous sources of these different stories. And although, in

* It may be requisite to forewarn the reader against an error, to which Lappenberg might perhaps give rise in his literary introduction (p. lx.) although he certainly does not partake in it himself: viz. that the pseudo-Asser annals contain *nothing whatever* of the passage in question, but this naturally proves nóthing.

modern times, a well known Oxford Antiquary ("Memorials of Oxford") has again half and half revived these absurd tales, I can only perceive in this an immoderate attachment to prejudices, which are no longer even popular. The supposition also which is connected with these accounts, that these schools were formed out of one attached to the monastery of St. Frideswide, is void of all foundation, as this institution was a convent of Nuns and not of Monks. As a specimen of Ingram's critical abilities, I will only mention that a passage from an entirely unauthenticated fragment (in Leland's Collect: i. 342,) in which we are told that King Didamus "*out of his royal munificence erected different buildings for the purposes of religion near the Church of St. Frideswide,*" is referred by him, without more ado, to Academic Colleges and Halls! But enough of this. Respecting the Cambridge stories also about Cantaber, derived from the Historiola Cantabrigiensis, (printed by Parker,) and the supposed foundation of the schools by Beda, under the East-Anglian King Siegebert, I must be allowed to preserve profound silence.

NOTE (5) REFERRED TO IN PAGE 47.

Testimony of Ingulf (in 1050*) relating to Oxford.*

Ingulf, who already in 1056 was invested with office and dignities, and died in 1109 as Abbot of Croyland (Savile, 713, 6,) thus speaks of himself. "For I, Ingulf, the humble servant of St. Guthlac, &c. born in England and of English parents, being of the beautiful city of London, was set to book-learning in tender years; and first at Westminster, soon after at Oxford, was introduced to study. And when I had made advances beyond many of my own age in snatching up Aristotle, I clad myself down to the ankle* with Tully's first and second Rhetoric." Certainly the chronicle of Ingulf, as Lappenberg was first to remark, is not unsuspected: *i. e.* it is possibly a later compilation of multifarious materials.—

[Lat. *Talo tenus induebam* — i. e. "I put on, as a garment, the entire of the two treatises;" — an affected metaphor, for, "I read them to the very end."]

Yet there is no question, that authentic passages from Ingulf himself are mixed up with them; at least Lappenberg does not seem to doubt the genuineness of the passage here cited, since he accepts the autobiographic notice contained in it. The date given in Lappenberg as the year of Ingulf's death (1130) must assuredly be a misprint. The Cambridge critics have altogether rejected the passage, as an interpolation, but without proof or reason.

NOTE (6) REFERRED TO IN PAGE 48.

Physical Position and Strength of Oxford.

This question is not one of general possibilities, but of actual fact. The strength of Oxford, both naturally and artificially, is mentioned in the Acts of King Stephen (Duchesne, p. 958). "Oxford is a city most strongly fortified, and unapproachable, by reason of the very deep waters which wash it all round, being on one side most carefully girt by solid outworks, on the other, beautifully and very powerfully strengthened by an impregnable castle and a tower of vast height." This castle was built after the Conquest, to overawe the city; but the fortifications of the town are mentioned in Domesday book, and therefore existed before the Conqueror, who probably met as little resistance there as elsewhere.* Next, as to its water-communication, the following testimony will show that it existed in very early times. A Royal patent of the year 1203 (Rolls of Letters Patent, p. 52) secures to a certain *Wilhelm, son of Andrew*, free right of passage "for one vessel going and returning by the Thames between Oxford and London." It might be objected, that this communication by water, must likewise have been of service to the Danish pirates: but this is to forget that the Thames was blocked up by London and its bridge (Lundenbyrieg.) *That* part of the city [London] — beyond a doubt peculiarly fortified, — was never taken, although the Danes from time to time plundered the suburbs or other parts of the city, and made it requisite to rebuild them in the reign of Alfred.

* [Sir James Mackintosh represents the Conquest as a very long and hard-fought war. So the author of the article BOROUGH, in the Penny Cyclopædia.]

NOTE (7) REFERRED TO IN PAGE 49.

Number of houses at Oxford, after the Conquest.

According to Domesday-book, Oxford, in reference to the number of houses, (which here concerns us especially, since houses are more permanent than population,) belonged to the towns of the second rank, or at least to the first of the third rank. It had (according to Ellis's general introduction to Domesday ii.) 721 houses. Towns of the first rank were few; such as York and Lincoln, which had 1036 and 1150 houses. It is again remarkable, that in Oxford there was a striking disproportion between the *inhabited* and the *uninhabited* houses—viz., 243 of the former to 478 of the latter. Ellis explains this, as a result of the Conquest, but nowhere is it mentioned, that Oxford was more hardly dealt with, than many other cities, as York for instance, where no such disproportion is to be found. (The reading of *Oxonia* for *Exonia*, has never been made good; and both Ellis and Lappenberg doubt the propriety of it.) May not the disproportion be accounted for, by a temporary dispersion and emigration of the scholastic population? That the "*domos hospit.*" which the excellent Wood would interpret as Academic *Halls*, means here, as elsewhere in the Domesday, nothing but "*domos hospitatas*, lodging houses," needs no proof.

NOTE (8) REFERRED TO IN PAGE 50.

Favor of Henry I. towards Oxford.

I alluded (in § 21) to a passage, wherein Wood speaks, on the authority of original records, concerning Scholastic Streets in Oxford at an early date,—towards 1109. His words are these: "I may be allowed to remark that various deeds [*syngrafa*], made at this date, often mention School Street and Shydiard Street [*Vicus Schediasticorum*, the Street of Shorthand Writers]. And—to obviate the suspicion that such names had reference only to preceding times,—one may see in the very same deeds, the titles of

Masters and Clerical titles annexed in various passages, in designating the owners [of this and that property]." What gives us confidence in the fact which Wood here testifies, is, that he himself does not seem to have noticed, what inferences could be drawn from it in favor of the antiquity of Oxford University. The same writer states, upon the authority of Ross (the Warwick antiquarian of the fifteenth century) that Henry I. built a palace in Oxford *in bello monte* (the Beaumont) and often resided there, from his love of the society of learned men, and that he likewise bestowed on the University all sorts of favors and privileges. This account, which is no way confirmed by contemporaneous testimony, appears rather doubtful, when we consider the pedantic flights of fancy to which these two writers are addicted.—Yet there is no doubt of Henry's fondness for Woodstock, and his residing so near to Oxford may have acted very favorably upon the schools there. Wood seems to have had some documentary or otherwise valid evidence for his assertion (p. 46), that Henry I. was educated at Abingdon and instructed by an Oxford *Physicus* named Faricius. This account has been adopted by Ward without hesitation, and I know no reason for attacking it. There is likewise a passage in "*Ordericus Vitalis*," which seems to refer to Henry's connexion with Oxford.—He is represented, before the battle of Tinchebray, as holding an earnest conference with *Sophists*, to whom he tries to set forth the justice of his claims against those of his brother Robert. The expression "Sophists" would appear strange, as applied to ecclesiastical personages in general, while scholastics on the other hand were frequently termed *Sophistae*. May the King possibly have been aiming to obtain a sort of sanction from them, such as in later times was, not seldom, desired of the Universities?

NOTE (9) REFERRED TO IN PAGE 50.

State of Learning in the Twelfth Century.

We cannot here enter into details. An excellent account may be found in the "Dissertation by Warton," to which we have

already alluded. Among the best known Chroniclers of the period are, William of Malmesbury, Florentius of Worcester, Simeon of Durham, &c. Honorable mention should be made especially of William* of Malmesbury, for his great learning. His Chronicles and particularly his "History of the English Prelates," contain a rich store of materials, giving us a lively and not unpleasing picture of his times. Hitherto they have not been turned to as good use as they might. In speaking of the progress of learning in those days, (Saville, 97, 6,) after honorable mention of several persons by name, he adds:—"But in short, there were at this time in England *many* illustrious for science, renowned for religion; whose virtue was the more creditable, because in an age of decay it waxed firmer and fresher." The letters also of Anselm and Peter of Blois, and the "*Nugæ Curialium*" of John of Salisbury are worthy of note, and have never been profitably or sufficiently used.

Note (10) referred to in Page 52.

Parisian Immigration to Oxford.

Once more I am brought back to Meiners as the original cause of the misunderstanding which prevails. Indeed what he says upon the English Universities is perhaps the weakest part of his work; the merits of which in many respects, especially as being the first attempt in this field, I would on no account deny. I cannot here refute him in detail, but must take my own course. The critical reader can compare our different processes and their different results. A few points will here suffice to show, upon what weak foundations his opinion rests.

It is pretended that in 1214 the University became exempt from the ordinary tribunals, and was passed over to the Ecclesiastical jurisdiction. This event, Meiners (ii. 89) looks upon as a crisis,

* [William of Malmesbury is said to have been born A. D. 1095 and died in 1143 or somewhat later. His History of the English Prelates contained, in four books, an account of the Bishops and of the principal Monasteries, from the conversion of the English by St. Austin to the year 1123.]—*Penny Cyclopædia.*

furnishing the exact date when the University gained a corporate existence. To the same effect he interprets the Royal Privilege of the year 1200, in reference to the Paris University: yet in spite of this, he regards Paris as an actual University, through the whole of the previous century. I have above shown, that in neither case was there any exemption nor yet any innovation. Meiners himself immediately afterwards mentions the immigration of Parisians in 1229, as that which raised the Oxford Schools into an actual University worthy of the name. Shortly after that again (p. 97) he cannot persuade himself, that Oxford, even in the middle of the century, was any thing more than a very young and poorly cultivated University. And why? Because in a Bull of Innocent IV. (Wood, A. D. 1250) in one part the superintendence of the Schools is lodged chiefly with the Ordinary, (the Bishop of Lincoln,) while in another part, it is recommended to follow the Parisian usages as to the granting of the Licence. We have seen however—and the same thing comes out, àpropos, from Meiners's own account, although he puts a false interpretation upon that also,—that a perfectly analogous position of the Ordinary or his deputy in Paris also, can be traced back far beyond the middle of that century. The recommendation to adopt "the usage of Paris," at a time when abuses needed to be removed, is not strange, considering the recognized* *precedency* of the Paris University: nor can prove that these relations had not long existed, nor the rule been long recognized. In this, as in other cases, whenever there is fluctuation in the relations of one body to another, Meiners thinks he is bound to imagine such relations entirely new, the first time he finds them stated. Yet, alike in Paris and in Oxford, to say nothing of other places, we find contests about such points go on for centuries.

Note (11) referred to in Page 53.

On the terms "Rector — Chancellor," &c.

Meiners is quite decided in the belief that the Oxford *Chancellor* and the Paris *Rector* differed only in name: nor yet does Bulæus

* [Germ. *Primat.*]

avoid a like confusion; either as regards Oxford (i. 224, 25) or with respect to the origin and antiquity of the Parisian Rector (i. 261. ii. 666 et sqq.) In the case of Paris, however, he himself feels almost instinctively, that he has to deal with *two*, or in reality *three* totally different things;—first with the general use of the term "*Rector, Regens Scholæ*," where it means no more than *Magister* and signifies any teacher soever:—secondly, with the *Cancellarius*, in his original character of *Rector Scholæ*; and thirdly, with the *Rector Universitatis*. These distinctions clearly result from vain attempts at amalgamation,—and particularly from imagining it to be self-evident, that the Chancellor stood *outside of the corporation of the Teachers* [or, *Masters*]. What Bulæus has said of Oxford, and of Grimbold being made the *first* Chancellor by Alfred, is merely copied from Ross, Bryan Twyn, and such like authorities.

[Continued from a Note in Vol. ii. p. 240, of the German.]

By way of superfluous confirmation, I here cite one example, to show that where a School did *not* grow into a University, the office of Master of the School long remained attached to that of Chancellor. So late as the London Convocation of 1334, the following was decreed. "The Chancellor shall hold lectures, either himself or through some other person at his charges, in Theology or the Decretals, within the enclosure of the Church (*in claustro*). (Wilkins ii. 578.) The same is said by Wood, more especially of the *Cancellarius* Sarisberensis. (i. 91.)

We need no proof that where the school grew into a University, the Chancellor estranged himself from it, and became an Episcopal Officer "*extra corpus Magistrorum*;" and that the Masters on that account elected a Rector. It is in fact self-evident to one who understands those times, and considers the course pursued in Paris, as early as the twelfth century. No one can reasonably expect direct and documentary explanations of all these matters. The grievous mistakes prevailing, even in authors so careful as Bulæus; the constant confusing of the Chancellor with the Rector; may be traced principally to the endeavor to fix the

age of the University at as distant a date as possible. Now, as to constitute a University, in the later sense, a freely elected *Rector* was needed; authors tried to make out that a Rector existed along with a Chancellor in the very earliest times, although nothing but a Chancellor is then spoken of: or else they assumed, that the office of Chancellor and Rector was one and the same; or that the two officers were combined in one person. It is astonishing, how the simple truth breaks through, in spite of such artificial confusion of facts. For instance, Bulæus expressly says (i. 259), "The Chancellor was earlier than the Rector; but when the number of Professors and Masters was so immensely increased, they set a Rector over themselves." It is thus clear even to him, that the Rector chosen by the Masters required no higher confirmation; while of course, the University had nothing to do with the nomination of the Chancellor. The following passage shows in Bulæus strong prejudice and error of theory, joined with unconscious accuracy. "Beside the Rector and Proctors it appears that a sort of judge was constituted by Charlemagne *not included within the scholastic body*, to take cognizance of litigations and preserve the privileges. Such a Surrogate of the Palace, &c. . . with whom was joined the chief Chancellor, who was formerly named '(Chancellor) *a secretis*.' . . But he, as long as the Muses were in the Palace, granted licence to teach there, &c.: but the Bishop of Paris, and the Abbot of St. Genevieve, and the Chancellors, succeeded the Surrogate in the performance of these functons." If now we remove from all this, the absurdity of supposing the Palace-School of Charlemagne, a formal University, provided with Rectors, Nations, Proctors and Guardians; if we consider that the Imperial Chancellor may even then have been too busy to act the schoolmaster himself, and, in so far, was already beyond the scholastic body; and if then with Bulæus, we apply this state of things to illustrate the Episcopal Chancellor, or the Chancellor of St. Genevieve, and the scholars and Masters of the later real University; all is clear. The best proof, however, that the Chancellor stood beyond the scholastic body, is this. Whenever the University came on to a new ecclesiastical territory, (as,

on to that of St. Genevieve) it always received a new Chancellor: while on the contrary, its own Rector invariably accompanied it.

NOTE (12) REFERRED TO IN PAGE 55.

Respecting the "Aulæ and Hospitia" (Halls and Lodgings.)

The following remarks respecting the Halls and Lodgings, and the non-existence of the former in Paris, may suffice. Lodgings* *(hospitium)* is a generic expression, comprehending equally a room or set of rooms let to a single scholar, and also whole houses, given up to a company of scholars, for their sole occupation, and often built and fitted up expressly for this purpose. The term Hall *(Aula)* on the contrary, always implies a building entirely scholastic. Under the name of Lodgings, the Halls MAY be included, if the context admit the sense. Now in Oxford, as well as in Paris, we find talk of "Lodgings" in records and elsewhere: indeed this expression appears in records to my knowledge, as far back as the middle of the thirteenth century: for instance, in the affair with the citizens in 1214. The word Hall, it is true, appears still earlier in notices of another kind, and there can be no doubt of its bearing the sense already given. In fact, it needs no further explanation, and I shall merely refer my readers to Wood, (p. 338, De Aulis.) But, that in Oxford the generic term "Lodging" usually denotes a Hall, may be known from the fact, that about the middle of the thirteenth century, the number of the "Halls" (*Aulæ*) amounted to nearly 300, some of which had above 100 boarders (Wood). If then,† we are to suppose any considerable number of Lodgings of another kind besides, the congregation of 30,000 Scholars, although generally reckoned to be exaggerated, would scarcely suffice to fill up the whole space. In Paris, mention is made only of *hospitia*, and never of *aulæ*, yet in other

* [At some Colleges in Oxford, (for instance, Trinity,) the house of the Head of the College is still called his *Lodgings*.]

† [The reasoning, if valid, seems to prove that the word *Hall* might include Lodging houses; and not the converse: or perhaps,—that very few students at all were allowed to live in separate Lodgings.]

matters the French used the word "*Halle*," as much as the English, "*Hall*." Moreover, there is no definite proof, that the system of boarding together as in the Oxford *Halls*, ever predominated or was common. All documents, which are to the point, either speak quite in general terms of *Lodgings* [at Paris]; (as the Constitution of Gregory IX. of the year 1231, and a Bull of A. D. 1237 (*Bulæus* iii, 141, 160): orexpressly mention the renting of *Lodgings* by single scholars; as in the statute of 1244 (*ibid.* p. 195) where we find the following expressions [in Latin] :—"Also, if the proprietor refuse to let his *Lodgings* at the settled price, &c. . . . let that house be put under ban, for five years; and he, or such scholars as shall occupy a house under ban or have lodged therein," &c. . . . . This passage is sufficient to prove, that in Paris the word Lodging (*hospitium*) was usually understood in a different sense from what it was in Oxford, where it is substantially equivalent with Hall (*aula.*) Consequently, however similar, at Oxford and at Paris, may be the privileges, statutes and arrangements in force, about fixing the rent of Lodgings and engaging them; the object spoken of under the name Lodgings, was essentially different. As for the first Scholastic Colleges in Paris, Meiners is perfectly correct in considering the *Sorbonne* (1250) as the oldest establishment which really corresponds to the idea of a College. To confound such institutions with the Hospitals, in part established by the Nations, for sick or poor scholars, ought to be particularly avoided. The contrast of the English Colleges to the old Halls,—if understood to consist in this, that the former are *founded* and *incorporated* Boarding houses; — even in Oxford is of a later date, and in Cambridge is unknown to this day. A few remarks therefore, respecting the first traces of such founded Societies, and another point connected with the subject, may not be out of place here.

I have already named the second half of the thirteenth century, as the date of the rise of "the Colleges" or *founded halls;* and this is not only the view taken by all such authors, as have not altogether lost themselves in antiquarian fancies, but is the only possible view, if we are talking of Colleges in their peculiar and

later sense. If, however, we understand by the term, "founded Boarding-houses for Scholars," there are early traces of these not to be overlooked; to say nothing of the Scholastic Institutions of the Franciscans, Dominicans and other orders of Monks, before the middle of the thirteenth century.

Among these we may reckon, in the first place, the Abbey of St. Frideswitha, an establishment which to me, still appears to be very enigmatical. At the end of the eighth century, a convent of nuns was established here. But these were afterwards, according to the received opinion, replaced by Augustinian secular-priests; and these again in the year 1111, by regular Augustinian monks. The main source of information on this topic, is, William of Malmesbury, on the English Prelates, book iv. But he there speaks only of the convent of nuns; and its transformation into secular Augustinians must be understood in a sense much the same, as its second transformation into Augustinian monks. "In our days, a very small number of Clerks, surviving THERE [or, the last remaining there] received from Roger, Bishop of Sarum, that place, to live in *without restraint;* [*pro libitu*]. . . This Bishop supported many Canonists, to live to GOD *by rule* [or, as Regulars.]" If we refer the word THERE to the Monastery of St. Frideswitha, which stands in closest connection with it, it must appear very strange, that there is no account given of the removal of the nuns, and of the introduction of *the clerks to live without restraint.* On the contrary, it expressly states, after the destruction in 1002, "*The Monastery was restored,*" as if these clerical personages had kept house with the nuns! He could not mean that; and both Wood and the Monasticon Anglicum adopt the idea, that the Convent of nuns was transformed at some epoch before the year 1111, into an establishment for secular priests. Wood founds his authority upon William of Malmesbury, Leland and the "Liber Magnus Sanctæ Frideswithæ;" the Monasticon appeals to an "Osneyan Register" in the "Bibliotheca Cottoniana." I cannot pretend to judge what weight is due to the two last sources, and how much they go to prove; but it must not be forgotten, that the establishment of *Osney* is not older than 1129. Leland is in himself

but a poor guarantee, and we have seen what William of Malmesbury says. Perhaps after all, the whole thing can be traced to the above-mentioned passage in William of Malmesbury. It is suspicious, that the Monasticon, upon the subject of St. Frideswitha, makes use of the same expressions as that passage. Were this the case, it becomes a mere *petitio principii:* for it is a question, whether William of Malmesbury means to say what Wood imagines. If the word THERE refers only to what *immediately* precedes it, *i. e.* the Monastery of St. Frideswitha, nothing is left us but this conclusion; although a notice so deficient, must appear very strange in such an author, upon such a subject. It is a question however whether THERE cannot be taken in a more general sense, and referred to *Oxford,* which is named at the beginning of the paragraph. Let this be ASSUMED. It then becomes again a question, what we are to understand by *Oxford Clerks living without restraint.* It must follow, I think, that they were Scholastics, during the storms of the Conquest deprived of their livelihood and driven out of their own establishment, but now again united as regular Augustinians for fresh scholastic activity. I am still however very far from considering the assumption well grounded, and refrain to draw further conclusions from it. The whole matter indeed appears by no means clear to me; for setting aside the other point — what has the Bishop of Salisbury to do with it? If however we keep to the received opinion, we must even then suppose with *Wood,* that the regular *Augustinian Canonists* brought in by *Guimund,* were taken from among the Scholastics. Guimund's personal interference in the scholastic studies, appears from his own writings. But if the Regulars were schoolmen, it can scarcely be supposed, that the Seculars, whom they displaced, could be quite strangers to scholastic studies. But in that case, we have here found a regular College, even before the year 1111.

The other case which belongs to this head, is, the settling of the poor Scholars in the establishment of St. George upon the Castle, founded by Robert D'Oilly, one of the companions of the Conqueror; after the secular priests there also had been (in 1129)

transformed into regular *Augustinian Canonists*, and removed to Osney, Wood mentions this bringing in of the "*Scholars of slender means*," and it is confirmed by the fact that they remained in possession up to the Reformation. I cannot see however why this establishment should not just as much deserve the name of *College* as any of the establishments of the thirteenth century.

P. S.—I have since been able to convince myself by looking into the Domesday-book, that mention is made there of "Canonists of Saint Frideswitha in Oxford," so that the ASSUMPTION made in my previous note falls to the ground.

NOTE (13) REFERRED TO IN PAGE 62.

Early Growth of the University of Cambridge, &c.

The following are the dates of the different accounts.—In 1209, the immigration already stated. In 1229, mention is made of a *Chancellor* in Cambridge, which presupposes Schools. In 1231, there is a privilege of Henry III. So many documentary and other accounts follow, that no further doubt can exist. As to the authority for the three notices of 1202, 1229, 1231, the first (according to Math. of Paris) is not doubted by any one and agrees with the Oxford accounts. The Chancellor of 1229, *under his official title only*, appears in a catalogue which reaches to 1567, originally communicated by Hearne, and accompanied by some historical notices: (Hist. and Antiq. of the Univ. of Cambridge, Lond. 8.—a collection of treatises, documents and notices, commenced after the year 1612.) The notice appears the more trustworthy, as this Chancellor is the first mentioned after the entirely fabulous ones, who go as far back as the year 903. Joh. Packenham (in 1297) is the first who is brought forward *by name*. Besides, this testimony is scarcely necessary to prove the existence of a Chancellor. We cannot but imagine, that there was one, from the moment that schools of any importance existed; consequently, at the very latest, from 1209. The document of Henry III. is beyond suspicion, and is the oldest extant—for as to the

fabulous ones of the time of King Arthur, Siegfried, or of Pope Sylvester, &c., &c., they are unworthy of notice. The contents of this document (to be found in the above-mentioned collection) are stated as follows, [the original is in Latin.] "Our Lord, King Henry III.* laying injunction on the Bishop of Ely, requests that as far as is notified to him by the Chancellor and Masters respecting rebellious clerks, the same be signified without delay to the Sheriff.† From a brief of our Lord the King, dated, Oxford, 3rd May, in the 15th year of his reign. Fol. 21." Upon this follows as supplement or continuation: "The same King has commanded the Sheriff of Cambridge to lay hands on clerks who are rebellious and evil-doers, at the order of the Bishop of Ely; and either to keep them in prison or have them expelled, as the Chancellor and Masters may advise.—From the same record as above, (fol. 21.)" There exist some documents of the same year, which bear reference to the street-and-market police, and are to the same intent, as similar ones of the same date for Oxford. Then follow the Privileges of 1242, 1255, &c. Any other signification which may be attached to these matters, does not enter into our subject here. All that is intended now, is to mark the limit, where the documentary history of Cambridge begins. It is apparent from the above, that the account given by Math. of Paris, of the date of 1240, respecting a migration of Oxford scholars; "who had got from the King certain privileges against the townspeople [*burgenses*]" is very unimportant, inasmuch as it only confirms what is already evident from documents. To say nothing of earlier documents with which Meiners was not acquainted, it is wonderful how he concluded from this account, that the Cambridge schools had no privileges earlier; because, says he, "had it been otherwise, nothing of the kind would have been mentioned as granted at that time!" He doubts at the same time, of the duration of this colony, because the scholars, driven out of Oxford by the political disturbances of 1262, did not go over to Cambridge, but (in part) to Nottingham! This, he asserts, proves (in spite

* [Lat. *injungendo Eliensi Episcopo.*]

[† Lat. *Vicecomes*, deputy of the Earl, i. e. of the Lord Lieutenant.]

of all documents and other accounts) that there existed at that time no schools at Cambridge, or at all events no University. Besides, Math. of Paris speaks with superfluous expressness, of the riots which took place in the *three Universities*, Oxford, Cambridge and Paris.——Since writing the above, Dyer's Privileges of the University of Cambridge, has fallen into my hands, in which all the above-mentioned documents are printed.—

[What follows, is consolidated from a note in Vol. i. p. 388 of the German, and from the Author's Appendices.]

A subject in itself obscure enough, may perhaps throw some light on the original state of the University of Cambridge. In very early times an institution called a *Glomeria* existed in the town of Cambridge, in favor of which (we are told) in the year 1276, Hugh de Balsham, founder of Peter-House, mediated a Treaty concerning various contested points of the University Jurisdiction. We hear of the "Master of the *Glomeria*,"* and of his "*Glomerelli*," over whom he had a jurisdiction which remarkably restricted that of the Chancellor. The *Glomeria* also had Beadles, whose duty it was to carry a staff before the Master, everywhere except at the Convocations of the University.—Now what can this *Glomeria* have been? According to Ducange, *glomerum* means a sort of priest's robe, so that the *Glomerelli* may have been ecclesiastics. Or, if *Glomerare*, to assemble, was used for *Colligere*, possibly *Glomeria* was equivalent to *Collegium*. At all events, it was certainly an academical and convictorial society; and, observing the interest taken in it by Bp. Balsham, it becomes credible that the College which he founded with the name of Peter-House was not wholly a new society, but that in the Glomeria we see its earlier and rudimental state: unless indeed the Glomeria was the original Croyland Monastery School, which formed the germ of the University, nearly as the *Cloitre Notre Dame* of Paris.

Thus far had I written in my first volume. I now find that a

* Wharton (iii. 345) mentions the "office of Master of the Glomeria," from a Cambridge Manuscript. The notice refers to the Salary of the Public Orator.

note in a new edition of Fuller's History of Cambridge (ed. Thomas Wright, p. 53) fully confirms my conjecture there thrown out. The "*Glomeria*," namely, was the more ancient and limited foundation of the University, in which the older grammatical studies were pursued, in contradistinction to the more liberal philosophy which grew out of them. Its name indicates a predominating ecclesiastical character — a monastic school, in fact, whether it was the colony from Croyland or was still older — and it is characteristic, that in Cambridge the "*Glomeria*" afterwards sunk down to a mere grammar school. The "*Master of the Glomeria*" was at that time employed on such business chiefly, as afterwards fell to the "*Orator*;" in whom the whole affair finally merged. The proofs of this, given by Wright from authentic documents, are fully satisfactory. The difference between the more restricted studies of the "*Glomeria*" and the freer developement of the (so-called) scholastic Philosophy, particularly in Paris, is remarked upon in a passage quoted by Wright from the poems of Trouvére Rutebœuf, (in the middle of the thirteenth century) the subject of which is the quarrel between the Clerks of the Universities of Orleans and Paris.

"Paris e Orleans ce sont deux,
C'est granz domages et granz deuls
Que li uns a l'autre n'acorde.
Savez por quil est la discorde?
Qu' il ne sont pas d'une science;
Car LOGIQUE, qui toz jors tenze (*disputes*),
Claime les auctors autoriaux,
Et les clers d'Orliens *glomeriaus*, &c.

This passage greatly confirms the account of Peter of Blois, (though Wright appears to overlook this bearing of it,) that Cambridge University was founded by *scholastics* from Orleans; especially since no trace is to be found of the word Glomeria, elsewhere than in Orleans and in Cambridge.

Note (14) referred to in Page 65.

Learned Authors in the fourteenth century, connected with the two Universities.

A detailed account of the literature and learning of that epoch, does not lie within our scope, and after all, would but guarantee to us, as regards the state of science in the Universities, general conclusions, which already have as much guarantee as any one can reasonably desire or demand. By way of appendix to the literary statistics of those times, the remark is here admissible, that from the beginning of the twelfth to the middle of the fourteenth century *Pitseus* reckons in England, no less than two hundred authors, one hundred and forty of whom belonged to Oxford and thirty to Cambridge, either as teachers or scholars, for a shorter or longer period. Our judgement of their intellectual merit must depend on our judgement of the general cultivation of the time: and it is not my office here, either to praise or to blame. When, however, I hear the accusation so often repeated in certain quarters, without distinction of time or place, that the monastic establishments were but "hotbeds of stupidity," I cannot repress the remark that the greater part of these men, and at any rate the greater part of the more distinguished,—who represented the learning of their time as far as it went,—were monks of all the Orders* enumerated above. Since people will be so free with the use of their harsh word "stupidity," with respect to this and other points in the cultivation of the middle ages, one feels strongly tempted to turn the tables on them.

Note (15) referred to in Page 67.

Greatest Number of Academicians at Oxford, &c.

Concerning the numbers of the academic population (in its most extended sense) we have various notices. At the beginning

* [Benedictine, Franciscan, Dominican, Carmelite, and reformed Augustinian.]

of the thirteenth century, it is said to have exceeded three thousand: (as many as this emigrated in 1209:) then about the middle of the century — possibly for a very short time, — it is alledged to have reached thirty thousand; during the latter half of the century to have fallen to fifteen thousand; again, in the fourteenth century, to have sunk down to between four and five thousand, and afterwards lower still. Now all these estimates except the highest, rest upon many testimonies, in part contemporary, in part otherwise well accredited. Wood, for instance, refers to Rishanger, a contemporary, as evidence, that at the migration to Northampton, the scholars amounted to fifteen thousand. I do not find this calculation in the continuation of Matthew of Paris: so that it doubtless stands in Rishanger's Chronicle, or in the Book of the War of Evesham (Pitsæus, 403) to which I have no access. Wood, however, may be thoroughly trusted in such quotations. When we have once established this point, it is needless to enter into proof of the lower calculations. The diminution perfectly corresponds to the agencies, general and local, notoriously at work. The only difficulty which remains is the calculation of thirty thousand; although it no longer astounds one so much as the highest point attained, when we have got fifteen thousand as a lower step towards it. The source from which Wood took his statement, is not definitely given, it is true; but it may be probably guessed at by what follows. There is, in the Miscellanies of Th. Gascon (who died in 1457) the following passage [in Latin]: "Thirty thousand scholars existed in Oxford before the great plague, as I saw in the rolls of the old Chancellors, when I myself was Chancellor there." (Ed. by Hearne.) Of course this must not be confined to the period *immediately* before the great plague, but should be interpreted as the *maximum* of the earlier numbers. Now, whether Wood derived his information directly from the "rolls of the old Chancellors" or from these "Miscellanies," at all events his assertion is supported by testimony of importance. Of course in this computation must be included, not only the scholars and masters, but all matriculated persons. Thus, we may reckon, not only the monastic scholars, the messengers, the minor officers of the University

and of the Nations, and personal servants, trades-people, artizans, more intimately connected with the University or its studies — such as, Copiers, Parchment-makers, Illuminators, Book-binders and Booksellers (Stationers), Apothecaries, Surgeons, Barbers, Washerwomen, and all their understrappers; but we may also add that great mass of "*nondescripts*" of rabble of both sexes, even* to the *Mulierculæ* of many kinds, who at all Universities form a mob, striving to cling to the *Alma Mater*, were it only to the outermost hem of her garment, in order thus to be enabled to squeeze through with impunity. We cannot utterly extirpate such vermin, even from our own [German] more regular, tame, cramped, police-governed, well lighted-and-trimmed condition. We have however still more positive proofs. Upon the occasion of the riot in 1297, the official account of the towns-people states, that "three thousand scholars took part in it, together with their† trades-people and attendants, and a vast number of persons of yet lower rank." Three thousand scholars, consequently, formed the noble head to which this tail attached itself. If we reckon the rabble, as is reasonable, to have exceeded their masters in number, say at five thousand, these academic rioters would amount to eight thousand. Since however, as appears from the result — the whole University was not engaged in the riot, we may be allowed, perhaps, to reckon those who remained quietly at home at three or four thousand. We should, consequently, have at that time an academic population of twelve thousand souls, which fully coincides with the number of fifteen thousand stated by Rishanger, to have existed, prior to the breaking out of the great civil disturbances and the expulsion of the foreigners. At a later period also, upon the emigration to Stamford, documents state [in Latin] that "forty scholars and

* [The old women who then, as now, were admitted to look after the *linen*, &c., of the Scholars and Masters, may have been matriculated, and included among the thirty thousand in the Chancellor's books. But our author cannot seriously mean that the Chancellor had registered as a part of the University the *mulierculæ* whom he designates Vermin!]

† [*Mancipibus.* The word *Manceps* seems to have meant a head-tradesman of any kind, who set inferior hands to work, as: a head-cook, a head-upholsterer, a brewer, a tailor, &c. &c. The head servant, who superintends the dinner, is still called *The Manciple* at Trinity College, Oxford.]

their attendants and many others of the scholastic populace," were punished. Scholars in good circumstances, especially of high family,* would always have a swarm of servants by way of retinue: as a proof of this, were it wanted, we might refer to the letter of "free conduct" granted by Edward III. to the Scotch scholars, and their household.

Note (16) referred to in Page 70.

Position of Students towards Teachers in the Twelfth and Thirteenth Century.

Boethius in his book "On the Tuition of Scholars," gives some account in his absurd fashion, respecting the relative position of the teachers towards their scholars, which in connexion with other notices already mentioned, shows how essentially the system of boarding together socially, and of personal intercourse in and out of the house, in and out of school, belonged to the academic life of the time. This spurious Boethius may, it is true, belong to a somewhat earlier epoch, but the manner in which he is treated by Commentators, who actually belong to the thirteenth century, proves that no essential change had then taken place; and our application of this work to the English Universities, is so much the safer, since one of those writers, (see Wood, p. 22,) was an Englishman and probably lived in Oxford. For instance in book ii. we find the following passage: [the original is in Latin]: "Upon the coming of the master let him (the scholar) get up; if time and place suit, let him bow to him by way of salutation, and follow him if ordered. Let him, if possible, get admitted into his house, to dwell with him, that so he may not only, when chastised, cherish remorse, but also, if place shall favor, may† rush into his presence, in order to inquire diligently," &c. &c.

* [*Eorumque familia.*] † [Lat. *ad cum confluat.*]

NOTE (17) REFERRED TO IN PAGE 71.

Present State of the German Universities.

I am well aware, that on one point I am liable to reproach from various quarters, with more or less sincerity; and I would rather anticipate it at once. I may be looked upon as desirous of recommending in the High Schools of Germany, the revival of the old "academic nations," or of the clanships (Landsmannschaften) of later date, or of still more modern and still more suspicious societies. Some may tell me so with zeal, others with affected horror. I am not quite so bad as that; I confess however, that in spite of the completely heterogeneous manners of that time, I did not bring the matter forward, without a side-look at things in Germany. I have no reason for giving up the conviction which I have already expressed in another place (Remarks, &c. respecting the Universities, 1834) — the conviction that it would do the Universities of Germany more good to have their corporate forms strengthened and defined, than to break up or weaken their peculiar elements, so as to destroy all that properly characterizes them. We ought by this time to be convinced, that to undo all intimate and free association of youths, to isolate men atomically, (even upon the pretence of elevating them to the highest pitch of general cultivation,) offers no guarantee for moral, for intellectual, or even for political progress. Were we even to yield unconditionally to all that has been said, or may yet be said, respecting these obnoxious excrescences in our University manners, we must yet needs ask, whether there be no remedy but absolute prohibition; which generates (or at least permits) evils far greater — because they are less conspicuous and lie deeper — than those which are supposed to have been done away with. Nay, if no *other* remedy is to be found, so much the more necessary it is, not to deceive ourselves as to the dangers of this *one*, — as to the unavoidable consequences of such a system. Upon this point however even more than upon others, the time when we must be undeceived is still far off: the flood of self-deception still rises higher and higher. Nothing but false shame, a vicious bashfulness

which dreads to offend the vague and trivial rule of (what is called) "conforming to our age," renders people deaf and blind to warnings of every kind.

NOTE (18) REFERRED TO IN PAGE 77.

Dates respecting the Rise of "the Nations" at Oxford.

The following remarks will be sufficient to show how erroneous is Meiners's opinion, respecting the date of the rise of the "Nations" at Oxford. The Nations are expressly mentioned only after the middle of the thirteenth century: in Cambridge only once at all. I will not dwell on general reasons, which lie in the very nature of the subject, for believing that (in Oxford) the Nations existed long before the time when they are first mentioned; that (in short) they are coeval with the gathering of scholars of different nations; — let us turn to the "Proctors." Although we do not find express mention made of these, prior to the thirteenth century (in 1247, 1252, 1281, &c.) yet the office has always been considered as old as the University, or at least as the post of *Chancellor*, over against whom they stood up *like the two tribunes* of Rome (as Wood has somewhere expressed it) to represent and uphold the rights of the University. This must certainly refer to the time when the Chancellor himself stood "outside of the Academic body." We need no proof that the Proctors represented the Nations. They were named even up to the sixteenth century, after their respective Nations, and were chosen, nominally at least, by them and out of them. We have already remarked, that the Nations in Oxford were at least much earlier than the Parisian emigration of 1229: especially, since, had this event given rise to the National distinctions at Oxford, the Oxford Nations would *not* have been (what they were) exclusively English. Moreover, they are mentioned for the first time (Wood, A. D. 1252) in expressions which refer to them as to an old and familiar institution: such, for instance, as "the contentions which had so frequently arisen ... were *at length* restored to peace and quiet." As far as regards

Cambridge we are justified in deducing the same conclusion, from the general analogy which it bore to Oxford, particularly as scholars migrated from Oxford to settle there, and as they also had two Proctors, although the Cambridge Nations are not expressly distinguished as "Southernmen" and "Northernmen."

Since writing the above, I have been able to examine "Fuller's History of the University of Cambridge," where I find documentary notes respecting the existence of the two Nations and of the provinces, "*Welsh, Scotch,* and *Irish.*" (p. 23.)

NOTE (19) REFERRED TO IN PAGE 78.

Oxford Decree of 1252, *forbidding the Nations to celebrate certain Saints'-days.*

The Decree of the Chancellor and of the Ruling Masters given by Wood (A. D. 1252) is not without interest: — "It is decreed" [says this Latin document] "that no festival *of any Nation** shall henceforth be celebrated in any Church with the *accustomed* solemnity and assembling of Masters and Scholars, or other [Lat. *aliorum notorum*] notables, save so far as individuals are desirous of celebrating with devotion the festival of some particular saint of their own proper diocese, in their own parish where they dwell, without however calling upon the Masters, Scholars or other notables of another parish, or of their own, as is done upon the feast of St. Nicholas, St. Catherine, &c. It is likewise decreed by the authority of the said Chancellor, under pain of the greater excommunication, that no one shall head any band of dancers with masks and clamour, in the Churches or streets, or go in procession any where, with a wreath or garland on his head, made of leaves of trees or flowers, or of any thing else, under pain of excommunication and a lengthened imprisonment." — In the first place, we find here a recognition of the "Nations" on the part of the University, and

* [In the Latin, *cujuscunque Nationis*: but probably they meant *utriusvis*, of "either" Nation; unless Natio is used for Provincia, or loses its technical sense. If the last opinion is adopted, our Author's argument seems to fall to the ground.]

at the same time the subjection of them to academic laws and police. Further, we may remark, that the word "accustomed" *(consueta)* evidently refers to matters of long standing. The saints whose festivals were not to be celebrated, or at least not by the "Nations" *as such*, were probably those well-known patron saints, as St. George, for the English; St. Andrew, for the Scotch; St. Patrick, for the Irish; and St. David, for the Welsh, &c. The wreaths of leaves and flowers, we may likewise suppose to bear reference to similar old national customs, according to which, the *rose* was considered as the English symbol; the *thistle* as the Scotch; the *shamrock* as the Irish; and the *leek* as the Welsh. How, or in what manner the North and South English agreed about St. George and the rose I do not know. Perhaps they did not agree at all, but fought about that too.

NOTE (20) REFERRED TO IN PAGE 80.

Respecting "the Nations" and their Subdivisions.

Meiners, who at least has the merit (which English writers upon the Universities have not had) of not entirely overlooking these associations, assumes the Irish and North English to have been the two principal nations; and he places their origin in the second half of the [thirteenth] century. This is thoroughly untenable. We find such very decided mention, in so many places (v. Wood) of *two* Nations; the *Anglo-australes* and the *Aquilonares*, (or *Anglo-boreales*,) "the Southernmen and the Northernmen," of *two* corresponding *Procuratores* or "Proctors" and never more, — never under any other national denominations, — that there really is no need of further proof upon this point. We think also we have proved the Nations to be of higher antiquity. The various accounts which we have of the disturbances in 1252, 1258, 1267, 1274, &c. (v. Wood) show us, that the Scotch joined the Northernmen, and that the Irish (*Hiberni*) and Welsh (*Wallones, Cambrenses; Cambrobritanni*) took the side of the Southernmen; and

that, moreover, the Borderers,* or inhabitants of the Welsh borders, upon some occasions at least, added their weight to one party or the other. Yet the number and names of these subdivisions, (or Provinces, if one will,) as well as their position toward the "Nations," are very obscure and changing. For instance, in 1258, we find that the Scotch, Welsh, and Northernmen (*Anglo-boreales*) fought against the Southernmen; on the contrary, in 1274, we have the Southernmen (*Anglo-australes*) Borderers, Irish and Welsh, fighting against the Scotch and Northernmen (*Anglo-boreales.*) However, the latter case appears to have been the rule, the former the exception; for, in later accounts and documents, the latter distribution is always presumed. A single Province might sometimes fall out with the opposite "Nation," or with one Province of it, and yet the whole "Nation" as such, may have declined the quarrel. No one can wonder, if the Southernmen remained passive in many a conflict, in which Irish and Welsh engaged; the alliance being heterogeneous enough. Naturally indeed, in all the skirmishings with the North English and the Scotch, the Irish are the most frequently named, and in many instances they figure quite alone. To them, wherever and however they meet, "rows" constitute an essential pleasure of life; so that we need not ask the origin or aim of such tumults. The North English and Scotch character stands in the very opposite extreme to the Irish; and the battles between the two parties, must have been the most frequent and most violent. It is therefore far too hasty a conclusion, that these bodies constituted a principal stem or *Nation,* merely because the first account which expressly mentions these conflicts (in 1252) takes especial notice (as likewise do many of a later period) of the Irish and Welsh, and names them distinctly. But to consider the properly so-called South English as subordinate hangers-on to the Irish, is quite contrary to all probability, even without such decisive testimony such as we find, for instance, in the nomination of the Proctors. On the contrary, it quite agrees with the politics of that day, to

* [The Latin is *Marchiones,* which is ordinarily used for Marquesses, *i. e.* the *Præfecti limitum.* It is from the Teutonic word, *Mark,* a boundary.]

suppose, that the Irish and Welsh (when at all admitted) came under the protection of the South English. It is certainly very singular, that no mention is ever made of the French, or other foreigners from the Continent. We shall however soon see the fact and the reason of their being incorporated with the Southernmen. Indeed for a time they even composed the greater number of that "*Nation.*"

POSTSCRIPT.

The following passage out of Matthew of Paris (of the date 1237) respecting the national opposition of the Northernmen and Southernmen is worthy of remark. "For at first he (the Legate Otho) pacified certain grandees who were at variance among themselves from some secret cause of hatred, &c. which hatred broke out the same year at a tournament, where the Southernmen opposed the *Norenses,* but the Southernmen at last obtaining a victory, some of the leaders of the others were taken; and the battle of the tournament was changed into a hostile combat." It is clear that the *Norenses* here signifies the same as the *Aquilonares* or Northernmen, as may be seen moreover in the document (n. 8) in the expression *Clercs. Sourrois e Norrois;* and the whole passage shows that not only the elements but also the denominations of these academic opposing parties were found reflected in the common national existence. I am not aware, indeed, of the existence of any other passage of the kind, but I consider this the more convincing, the more incidental and undesigned these familiar appellations. That the two names were used on the one hand, for the national party, (afterwards that of the Barons,) and on the other, for the Royalists, and that among the latter were comprised very many French, is sufficiently apparent from all the circumstances of the case.

The proverb *ab aquilone malum* is without a doubt originally derived from Jerem. i. 14, but its application to the English Northernmen may yet be an academic pleasantry. A passage in Trynyllyan's "*Laudes Oxoniæ*" bears upon the same subject, (Vita Ricardi ii. ed. Hearne. Append. p. 57.) The following is

there applied to a detested Abbot of the Dominican Order in Oxford :—

> " *Hic Scotus genere perturbat Anglos, &c.*
> *Propheta loquitur vero præsagio*
> *Quod malum maximum propandit Aquilo,*
> *Quod super Israel ascendit populo.*"

If it were necessary, in opposition to the accounts of Meiners and the English authors, to prove more fully that the University, upon the occasion of the affair of 1209, was divided into parties, and that the execution of the Scholars took place at the order of the King; it would be necessary only to quote the following from the contemporaneous annals of Dunstable (ed. Hearne, p. 54.) "In the month of January, the King commanded, that two Clerks be hanged at Oxford, on which account the Schools are divided."

Note (21) referred to in Page 94.

Testimony borne by Edward I. in favor of Robert Grosseteste.

Whatever be the worth which is generally allowed to such memorials, scarcely any one would consider the expressions used by* such a prince as Edward I. in his document sent to Rome, as mere rhetorical tinsel. "Robert of happy memory," says the King, speaking of the deceased bishop (v. Wood, p. 103) "a servant of God lodged in a prison of flesh, excellent in merit, pre-eminent for holiness of life — like the morning star in the midst of the clouds, &c., &c., &c. Such things does the Anglican Church remember of her noble champion; such things does the authority of Prelates testify, — the memory of our elder men retain, such do the clergy declare, — the soldiers remember, — the people bear witness, — and all† of every age and of both sexes lay up in store

* [Are we to look on it as certain, that Edward I. dictated or heard one word of this flowery document? May he not simply have ordered his (ecclesiastical) secretary to write to the Pope in favor of holy Robert's canonization?]

† [The Latin is: "omnis *utriusque* ætas." The word *utriusque* can hardly be right, unless sexûs be supplied.]

for their sons, like a patriarchal tradition." In the document sent by the University, we have the following: "The University certifieth, that no man has ever known him (Robert) to leave undone any good action appertaining to his care and office, for fear of any man; but rather, that he was prepared for martyrdom, should the sword of the assassin have fallen upon him. It certifieth also of his splendid learning, and that he governed Oxford admirably, in his Degree of Doctor of Holy Theology, and was illustrious for many miracles after his death, wherefore he was named by the mouth of all men, Holy Robert."

Note (22) referred to in Page 96.

Tumult in 1263, *occasioned by the approach of Prince Edward to Oxford.*

As far as I am aware, this occurrence is related only in the Rhymed Chronicle of Robert of Gloucester. But as he is a contemporary and his poem is written quite in the style of a chronicle, his testimony is as valid as that of any chronicle of the time. The verses quoted by Wood, are in part, unintelligible: the poet's meaning appears only in Hearne's edition of his poem (Oxford, 1724, p. 540, sqq.) According to that, the riot was occasioned chiefly by the townspeople refusing to open the smithy-gate, which led to the "Beaumonts," where the scholars were accustomed to pursue their sports outside of the town. Wood appears however to have had more decided testimony, as to the part taken by the scholars in favor of the prince. He says: "This inquiry revealed to me compendiously certain things done in that affair; nor are they contradicted by the verses of a certain Oxford poet, who was present there at the time." That Robert was in Oxford at the time, is a mere supposition; and at any rate his silence (when we look at the whole character of the Chronicle) by no means excludes motives of a different and deeper nature. These would quite agree with the account given by him; since the *King's hall* where the prince held his quarters, was at the *Beaumonts* in the

parish of St. Magdalen, as Wood expressly says, and without the gates, as appears by the whole story. Whether the royal palace, said to have been built by Henry I., is meant, I leave undecided.

Note (23) referred to in Page 96.

Migration of Students to Northampton, &c. . . . in 1264.

The students who, as it is stated in the text, emigrated to Northampton, are said by Wood to have been provided with pressing recommendations from the King to the Mayor of that place. But this is surprising; for they were staunch adherents of the Baronial party. Are we to imagine that the King was forced to sign papers against his will, as afterwards? or was it a measure of policy, to remove his adversaries from Oxford, and to keep the peace there? The letter might indeed be suspected as spurious, only that Wood unhesitatingly accredits it, as known by him to be genuine. Neither in Rymer, nor elsewhere, is it found; yet it is hard to conceive motives for fabricating it. It was thus: "Whereas certain Masters and other Scholars mean to tarry in your town, and there to give themselves to their studies, as we are told: we, expecting thereby the service of God and the interests of our kingdom to be advanced, approve of the arrival of the aforesaid scholars and their sojourning with you, wishing and granting that they tarry in the aforesaid town safe and secure beneath our protection and defence, and therein exercise and perform all that belongs to such scholars. And therefore we give you charge, that when these scholars come to you to sojourn in the aforesaid town, ye, having this recommendation of them, receive them in your wards,* and treat them as becomes the scholastic rank, not inflicting on them, nor allowing others to inflict, hindrance, annoyance or harm." The date is, Feb. 1st, of the 45th of Henry III. [A. D. 1264.]

In the following month (March) the Barons were intending to

* [Lat. *curialiter*; with the pomp of aldermen? in your town-hall?]

meet in Oxford; whereupon the King gave order to all the scholars who still remained, to absent themselves from the city, as long as the Parliament should be sitting. Full proof that this was not done from any hostile disposition on the part of the King, but from prudence and foresight for his own partizans, may be found in the expressions of the Royal Ordinance of the 12th March. "The King to the Chancellor and University of Oxford. Since on account of the sudden disorders, &c. . . . we are about to take up our residence for a time in the said city of Oxford, where the Lords of our kingdom will meet at our command, &c. — we, *seeing that you cannot remain there without the greatest peril,* especially as in such an assemblage many untamed spirits will come together, whose fierce tempers we may be unable easily to repress; — order you to return without delay to your own homes, with leave to come back freely and without hindrance after the aforesaid troubles are appeased." (Hearne, Liber Scaccarii, Append. p. 465.) The students thus sent out, betook themselves in part to Salisbury, in part (like the former party) to Northampton.

On the 30th May followed an order of the same friendly nature for their return: stating: "The said troubles being appeased by the grace of God," &c. &c.

Note (24) referred to in Page 96.

Warlike Part taken against the King by the Scholars at Northampton.

The taking of Northampton is mentioned by all the Chroniclers. As to the part taken by the Scholars, Wood refers to the "Continuator of Beda and Knighton." The testimony of Walter Hemmingford (Hist. Edward I. ed. Hearne) is still more authentic, as he was almost a contemporary (died 1347) and moreover agrees with an earlier chronicle of Abingdon (Joh. Ross, Hist. Reg. ed. Hearne, 1745.) The previous part of this story is related in a somewhat confused manner: but it expressly states, that "Many Scholars of the party of the Barons, coming to Northampton, read there," &c. and afterwards, that "the Clerks of the

University of Oxford (at Northampton) insulted the soldiers of the King, as they approached, and dealt them more harm, than did all the Barons, with slings and bows and missiles of every kind. For they had a standard of their own, which was placed on high against the King. Upon which the King was so enraged, that while entering the town he swore he would hang them all. Upon hearing which, they shaved their heads: and many of them who were able took to rapid flight. Upon the entrance of the King, he gave orders, &c. . . . but they said to him, &c. . . . and his anger was appeased against the Clerks." In Leland (i. 305, from the Book of the Origin of the Monastery of Malmesbury,) this migratory party and the fate which it met, is brought into connexion with the emigration of 1238, and the following mention is made of the party which migrated to Northampton in 1238: "These fell in the battle of Evesham." Perhaps we ought not to take this literally, but if we were to suppose, that some of the party remained behind, when the others returned to Oxford, a nucleus of the kind might help to explain the arrival afterwards of new immigrators among the "Northernmen."

NOTE (25) REFERRED TO IN PAGE 97.

"The Nations" at Cambridge—Documents forbidding the establishment of a University at Northampton.

Upon mentioning Cambridge here with Oxford, I at first expected to have to rest merely on the general analogy observable between the two Universities, and on the short and general notice, given by Math. of Paris, of the disturbances in Cambridge in 1249 and 1262. I have since, however, had an opportunity of referring to the "History of the University of Cambridge, by Fuller, (London, 1775"), and find therein, the very best, and in a certain sense documentary, evidence, not only of the share taken by Cambridge in these frays, but likewise of all the opinions expressed above, respecting the proceedings of the "Nations" at both Universities upon these occasions. Fuller informs us, from documents before

him, (p. 12,) that in the year 1662, in consequence of violent conflicts between the Northernmen and Southernmen, in which the former were beaten, a commission of *Oyer* and *Terminer* was sent to Oxford. As this commission, however, showed considerable partiality, according to the King's ideas, it was replaced by another, to whom the King recommended clemency towards the guilty. But here again the affair met with numerous difficulties, "so many persons of quality being concerned therein," that the Chief Justice of England, Henry Le Despencer, (at the command of the King,) nominated three other Commissioners. They condemned about twenty of the Southernmen, (the punishment is not mentioned,) but the King granted a pardon to them all, by an Ordinance of the 18th March, 1262, which runs as follows,—[the original is in Latin.] "The King, &c. &c. Know all men, &c. that we have of our especial favor, pardoned Master Johannes de Depedale, &c. &c., of the counties of Norfolk and Suffolk, and Roger Parlebone, &c., of the county of Cambridge, for the* breach of our peace, in the insult lately done upon certain Northern-scholars, of the University of Cambridge, and we grant them free peace," &c. &c. We cannot overlook the partiality of the King for the Southernmen, nor of that of the Justice and his Commissioners for the Northernmen; and when we call to mind that Le Despencer exercised this power merely in virtue of the Oxford provisions, which had left the King scarcely any thing more than his right of granting free pardon, the matter will appear clear enough. That peace was not, however, re-established at Cambridge by this means, we learn from the fact, that a great number of Scholars and Masters shortly afterwards migrated to Northampton, as appears from a document of the 1st of February, 1265, which runs as follows (in Latin). "The King to the Mayor and Citizens of Northampton, greeting: Whereas, upon the occasion of a great contention which arose in the town of Cambridge, about three years ago, certain clerks then studying there, with one accord, seceded from that town, and transferred themselves to our aforesaid town, desirous there to establish a new University:—we, then thinking

* [Lat. *sectam* pacis nostræ.]

that the town might be bettered by it, and that much advantage might arise to us from it, assented to the wishes of the said clerks, and their request upon this matter. But since now we have heard with truth, from the account of many creditable personages, that our town of Oxford, &c. &c., might be injured in no slight degree, &c. . . . by a University of that kind, if it were to become permanent; by the counsel of our grandees, &c. &c. . . . we strictly prohibit your permitting any University, &c. &c., from being hereafter in your town."

In this there are certainly two very suspicious points: first, that no mention whatever is made of Oxford Emigrations, although they are proved by other documents to have taken place,—secondly, that it is the disadvantage to Oxford only which is spoken of, although Cambridge equally was deprived of its emigrants. The latter point, indeed, may be explained by imagining that the King and others felt greater interest for Oxford than for Cambridge; nevertheless, the former point remains perfectly incomprehensible. As Fuller however gives us an authenticated copy of the original in the Tower, there can be no doubt of its genuineness, and Bryan Twyn's opinion, that in the Hare copy (at Cambridge) the word *Cambridge* has been interpolated in the place of Oxford, falls of itself. However this may be, it would be difficult, after all that has been shown, to deny that (under similar circumstances) migrations took place from Cambridge to Northampton. In that case, we arrive so much nearer to the supposition, that they were the vanquished Northernmen, and as there can be no doubt that they took part with the Barons in the defence of the town, the position of the Northernmen at both Universities, and consequently that of the Southernmen also, is placed beyond doubt. From the commencement of the document, it appears also incidentally, that only afterwards was the emigration sanctioned by the King, that is to say, with his name.

NOTE (26) REFERRED TO IN PAGE 99.

Disturbances at Cambridge in the Thirteenth Century.

The documents above referred to, expressly mention the disturbances in Cambridge in 1262, between the Southernmen and Northernmen, and state that the latter migrated to Northampton. As far as regards Oxford, the Nations are never named *as such* during the decisive crisis, although they are so indirectly both before and afterwards. According to Wood, the Welsh in 1258 fought on the side of the Northernmen against the Southernmen; yet on all other occasions, they appear to have been the allies of the Southernmen against the Northernmen; and especially against the Scotch. It is possible that a temporary change of this kind might have been occasioned by the well-known alliance formed by the Barons with the Welsh Princes — a circumstance which would evince in the most satisfactory manner, the analogy existing between the National Macrocosm and the Academic Microcosm. On this point Wood refers to Math. Paris; who however does not give a very clear account of the position of the respective nations. He merely says, "that the most grievous disturbances arose among the Oxford Scholars of different nations, to wit, the Scotch, Welsh, Northernmen and Southernmen, to such a degree that they unfurled their war-standards and fought." Even if we imagine Wood to have had some other source for his more detailed account; there is still however no necessity for supposing any contradiction to exist. Still less could any objection be made, if in the standard under which the Scholars fought upon the walls of Northampton, we might recognize the standard of the Northernmen here mentioned. Immediately after the restoration of peace in 1267, Wood speaks of the "Contests of the North-Englishmen with the Irish, and the South-Welshmen [Walli Australis] with the Northernmen, to whom were attached the Scotch," and he says, that "among the first mentioned, (viz. the Northernmen and Irish,) the conflicts were of so grievous a nature, that pitched battles were frequently fought in the middle of the town or in the adjacent plains." The whole account

is however so confused that I do not attach much value to the details, especially as no source of knowledge is quoted. The document which he incidentally communicates, speaks only of the Irish and Scotch. No mention is made elsewhere of the South-Welshmen as a separate party or province: and after all, perhaps the confusion arises only from a mistake in the print, and it may signify Southernmen and Welshmen with the Northernmen, &c. In that case it would perfectly coincide with the document of 1274, (excepting with regard to the Borderers,) which places the Southernmen, Borderers, Irish and Welsh, on the one side, and on the other the Northernmen and Scotch;— but then it would appear, that the Welsh had already in 1267 returned to their usual position, on the side of the Southernmen.

NOTE (27) REFERRED TO IN PAGE 106.

Rent paid by Oxford Scholars for Houses and Lodgings — who fixed: — the Oath taken by the Citizens, &c.

Meiners, beside his mistake respecting the ecclesiastical jurisdiction over the Scholars, has also misunderstood the treaty between the University and the Town, of which I have spoken in the text. I may be allowed to quote, in the words of the original document, some of the main points. [From Latin.] "Nicolaus, &c. to his beloved sons in CHRIST, the citizens of Oxford, greeting in the LORD. Seeing that on account of the hanging of the clerks committed by you, you have sworn to stand by the mandates of the Church in all things; we, being desirous of treating you mercifully, order that, &c. &c. . . . a proportion (medietas) of the rents of lodgings should be remitted to the Scholars . . . of the rents which *by common agreement of the clerks' taxors and your own*, used to be paid, before the Scholars seceded on account of the said hanging." — It appears clearly enough from this passage, that even before the year 1209, it was the custom to fix the rents, by help of the Masters and respectable citizens. Wood indeed has not "*vestri*" but "*nostri;*" however this

has no sense whatever, and must arise from a mistake either in the writing or in the print. What could the Legate, who had arrived in England only a few weeks before this occurrence, and the emigration of the Scholars, and who was besides fully occupied with very different matters, have to do with the assessment of houses, till an occurrence of the kind had given to the whole affair, under the circumstances existing between the King and the Church, an aspect of much deeper and general importance? — "At the conclusion of the aforesaid ten years" (it farther says) "and another subsequent ten years, the lodgings shall be let* at the clergy-rate, &c. . . . . that is to say, those built before the secession.— Those built afterwards, or which may yet be built, and others previously built, but not assessed, shall be assessed, according to the decision of four Masters and four citizens, and be then let for the two periods of ten years. The community† also shall give for the use of poor scholars, fifty-two shillings yearly, &c. and moreover shall feed a hundred Scholars with bread, beer, pottage and one dish of meat or fish, every year, &c. You shall likewise swear to sell victuals and other necessaries at a just and reasonable price to Scholars, and cause others so to sell them, &c." This is evidently a mere admonition and by no means an aggression upon the authority of the town police. "If it should come to pass" (it continued) "that any of the clerks should be taken by you, you shall, as you have been required by the Bishop of Lincoln, deliver over the prisoner to him, &c. &c." — We cannot possibly suppose that the Legate should have meant, and still less under existing circumstances, had the intention to sacrifice any of the rights of the Church, and to grant permission to the citizens, *as a new privilege*, the right to arrest the *clerici* upon certain occasions. It was evidently an old right restored, or rather an unavoidable duty, without the exercise of which there could be no police and no order; a right which in no way infringed upon the ecclesiastical immunities. "Fifty of your aldermen‡ (or elder men)" it goes on

* [Lat. "locabuntur mercede *cleri*." Is not this corrupt? or a misprint?]
† ["Communia."—As the French Commune?]
‡ [Majoribus.]

to say, "shall swear in their own name, and in that of the community, as well as in that of their heirs, that all the above-mentioned things shall be faithfully observed; and this oath you shall renew every year, at the demand of the Bishop of Lincoln, &c." — We will pass over the remainder; but it is worthy of notice, that (as stated above) in the instrument, in which the citizens attest the fulfilment of these articles, they further promise that he who shall be mayor of Oxford for the time, shall swear in his own name, and that of the community, each year, &c. &c. that which is ordained shall be faithfully observed by the community, &c. and also shall the Provosts do the same, &c. those also who are Bailiffs for the time being, appointed every fifteenth day, under the Provosts, &c. &c. shall swear faithfully to observe the prices fixed for victuals, &c." It is not quite clear what we are to understand by the Provosts. This expression is used afterwards but seldom, and then only in reference to the Mayor,* who in many towns is still called Provost. That however has nothing to do with the present subject.

Note (28) referred to in Page 107.

Document relating to the Treaty between the University and the Town of Cambridge.

In the remarkable Treaty which was made between the University and the town of Cambridge, in 1270, by the intervention of the Prince of Wales (Dyer, Privileges, &c. i. p. 66) it is said that "every year there should be elected from any county of England, five steady Scholars residing at the University, and three from Scotland, two from Wales, and three from Ireland, and ten of the citizens, who shall give corporal oath on both sides, clerks as well as laymen, in the stead of all, that they will maintain peace and the tranquillity of study, and will take care, according to their ability, that it be observed by others; and if rebellious or evil-disposed Scholars or laymen be found, &c. &c. they will assist the citizens in arresting them, observing what is due to their rank and

* [Major.]

to the clerical order. That there should be elected also, in the aforesaid form, certain Masters, who shall write down the names of all the principal and several houses, and of all dwellers therein; who shall likewise cause the chief personages to make special oath, that they will not knowingly receive any disturber of the public peace into their houses, and that if such should be found, they will instantly denounce them to the persons who have been elected and sworn in. Laymen also who may have a household, shall make similar oath, and take the same from every inmate. But if any rebellious persons be found, let them be banished from the University or community*, in the aforesaid manner, by help of clerks as well as laymen. But if the number of the rebellious persons be so great, that they cannot be expelled by the citizens with the aid of the clerks, let them be denounced to our Lord the King and his council, &c. &c. And all parties shall reciprocally bind themselves by corporal oath to observe the above, the clerks swearing unto the laity, and the laity unto the clerks, &c. &c." — We have no detailed or decided accounts of any such attempts being made at Oxford, but at the same time there are indications which certainly appear to point out something of the kind. In speaking of the year 1228, Wood states (he quotes from the Dunstable Annals, which I have not been able to conquer,) that violent disturbances broke out between the Scholars and the townspeople, which rendered the intervention of the King and Bishop necessary, and were at last settled, by the culpable persons among the townspeople being delivered over to Rome,† (?) and the town paying compensation-money to the amount of fifty marks to poor Scholars. Then he continues — "It was further enacted, that if any thing of the kind should break out at a future period, the Laymen should give over the whole affair to be decided by the four supreme Masters, and without further appeal, should willingly submit to the punishments canonically imposed." — All this is very obscure: and I do but hint at the possibility of their

* ["Communifatem."]

† [The note of interrogation after the word *Rome* is added by Professor Huber himself. But see his Postscript.]

being some analogy between these four Masters and those mentioned in the Cambridge Treaty. The whole affair however gives me the impression that a similar Treaty had been already entered into, and this almost appears to be the case, since upon the great riot against the Legate in 1239, the town-magistrate established his inquisitionary board, [who] "with the aid of the twenty-four specially sworn-in to serve them by the King's order, and to guard the peace, together with the magistracy of the town, enter on legal proceedings, &c." To me it is quite dark, what to make of these twenty-four men, if they do not correspond to those mentioned in the Cambridge Treaty. The number certainly is different: but that would be no important difficulty.

POSTSCRIPT.

The passage in the "*Annales de Dunstable*" (ed. Hearne) gives no further explanation respecting the position and nature of the four Judges. It mentions in general terms a riot which occurred between the Scholars and townspeople in 1228, and then says,— "Four Masters, who shall take the chief direction of affairs, shall be made Judges, if any similar case should occur hereafter, under whose judgment the crime shall be punished canonically and without appeal. Those who strike down the clerks shall be sent to Rome, &c." I can only look upon these four Judges as arbitrators. The sending of the culpable persons to Rome, may have been imposed as a sort of penitentiary pilgrimage, and as a condition of absolution.

NOTE (29) REFERRED TO IN PAGE 131.

On the Right of the University (Oxford) to Test the Quality and Quantity of Victuals, and other Matters of Street Police.

I must confine myself to citing only a few among the many documentary proofs, which exist in support of my views upon this subject. It is by no means necessary to enter into a polemic, which would be both prolix and useless, respecting the opinions of

other persons, — still less, as these opinions are generally untenable, on account of their utter inconsistency and confusion.

Let us commence by the superintendence of the quantity* and quality of bread and beer as the most important point which beyond doubt sooner or later became a precedent for other rights. That the Chancellor had a joint control in this branch of the town-police, is expressly recognized first in the privilege of 1248, which declares as follows [in Latin]: "And as often as an assaying of the bread and beer is to be made by the said citizens, it shall be announced to the Chancellor and Proctors of the University, on the preceding day, in order that they may be present at the assaying, either in person, or if they choose, by deputy; otherwise let it be null and void." The right of course was still often contested by the town, or the exercise of it impeded or eluded. As early as 1304, we hear of complaints from the University, that the assaying was carried on in the absence of their officers, although this right had been confirmed in 1290. It naturally followed, for the University to maintain that neither could the rents of Lodgings be lawfully fixed, without her approval, although this was not the literal sense of the privilege. In 1339, however, on (what used to be called) a love-day [*dies amoris*] they agreed that in the absence of the Mayor, the Chancellor should undertake the assaying alone, and *vice versâ*. Royal mandates of as early a date as 1319, have the same object in view. But I am by no means fully convinced on that account, that these measures necessarily involved a recognition of the *joint possession* of the right, and a participation in the executive jurisdiction, and of the joint right to impose fines on offenders,† &c. I will not however entirely deny it, especially as the privilege of 1356, in reference to the previous "*Status quo*" says, "that the Chancellor and the Mayor should watch in common over the testing [*assisa*] of the bread and beer." — As to the weights and measures, the joint-jurisdiction of the University was recognized by a "*compositio*" in 1348, (which has already been

* [*Assisa*, the testing of weights and measures: *Tentatio*, the assaying of the quality of an article.]

† [*Amerciamenta*: properly, "Fines *at the mercy* of the Court;" distinguished from fines fixed by the Law. —Bailey's Engl. Dict.]

referred to,) twenty years after the King had granted to the Chancellor the right to act alone, "in case of the Mayor's absence." We have positive evidence that the "Officers of the University" were empowered to seize all victuals that were spoiled or had been bought by the "forestallers*" from strange dealers outside the town-gates, and that the Chancellor took cognizance of these matters in common with the Mayor. For the townspeople (for instance in 1290) complain only that confiscated things were applied to the benefit of the University, and not given up to the town, with the other fines and forfeits;† in which case the University would probably have been less zealously served. In order to give satisfaction to both parties, repeated directions were given by the King, that all confiscations of the kind, should fall to the hospital of St. John. As to the rules of the market, the stands of sellers of all sorts, the admission of strange dealers, &c. there exists an express Treaty of the year 1319. There is also a Royal Ordinance of the same year, in which the charge of these matters is entrusted in the first instance to the Mayor and Bailiffs, but, (it immediately adds,) "if not done by them in good time, a proclamation shall be made by the University, to the exclusion of the authority of the citizens."

The chief difficulty, as appears, was encountered, respecting the police, properly so called. The paving of the streets before each house, was the affair of the proprietor of the house; and a heavy burden it was. The removal of all defilement was equally so, especially for certain trades, as for instance, the butchers, &c. In house-building, some obstruction of the way could scarcely be avoided; but to confiscate the offensive‡ materials, (stones for building and beams,) was no small injury; though the University was ready enough at such work, while she neither had nor built many houses herself. In all these matters, we find the joint-rights of the University recognized from the end of the thirteenth century, the partial exceptions being such as to prove the general rule. These exceptions refer particularly to the confiscations which were never afterwards conceded to the University, to the same extent

* [*A forestalloribus.*] † [*Amerciamenta et forisfacturæ.*]
‡ *Corpora delicti.*

as it had sought to carry them out off-hand [*brevi manu*].—Proofs of this may be seen, especially in the contests with Robert de Wells (1280–96) and in the privilege of 1356. Another dispute arose about keeping the town *clean*, in its broadest meaning; viz. with the butchers; who positively refused to confine their filthy work to a remote part of the town. This caused the King to issue (in 1338) orders and full powers, addressed at one time to the Sheriff — at another to the Chancellor — and then again to the Mayor. As to the delicate subject of the "*mulierculæ*" and "*meretrices*," there is no doubt that the Chancellor had the right, as early as 1290, to remove them, as well as other useless and dangerous rabble, out of the town: — yet he must have met with great difficulty in enforcing this right, without the co-operation of the town-police, when the keepers of the brothels were themselves townspeople. Thus we find, (in 1317 and frequently at other times,) that they should be expelled "after being denounced by the Chancellor to the Mayor and Bailiffs." — Naturally enough, in all these matters, the Chancellor would appear more and more as principal, since he was the most active, being of course the most interested, and free from so many and local influences which would control the Mayor and his Bailiffs. We learn from numerous documents, (v. Dyer, &c.) that the same things occurred exactly in the same manner at Cambridge.

Note (30) referred to in Page 136.

Powers of the Mayor curtailed by the Authority of the Chancellor.

The statement of their grievances, presented by the citizens of Oxford, against the University, to Parliament, in 1290, afford the best picture of the state of things at the time, and has been frequently referred to in the foregoing sketch. Ayliffe (Appen. p. 149) contains the whole in detail, together with the answer. Wood gives only the superscriptions of the separate clauses, some of which we subjoin. The first complaint is, "That the Mayor may not arrest and imprison Scholars who are evil doers"— of

course, this means, that such a step could not be taken without the previous knowledge or command of the Chancellor. It is probable, that the abuse of this authority by the Town, had led the University to object to it altogether, even upon the plea of urgent necessity, or upon taking the Scholar in the act. The second clause treats of the retailers and forestallers; and to it might be subjoined the fifth, which regards "fines, amercements, seizure and forfeiting of flesh and fish." Both these clauses refer, partly to the sale, partly to the quality of victuals, and to the confiscation, by the academic officers, of bought-up, damaged, or falsely weighed wares. To the fifth article respecting "the bail to be taken from such laymen as may be guilty of any misdemeanour towards scholars," we may add the eighth, "on the summoning of citizens," the ninth, "on the convening of extraneous persons in causes which concern clerks," and the eleventh, "on the Chancellor's right to claim clerks [for trial in his own court]." They comprehend the whole department of the Chancellor's jurisdiction in mixed cases. — The fourth clause "respecting the oaths of the the Mayor and Burgesses" shows how oppressive they considered the oath imposed upon the town-magistrate and a certain number of respectable citizens, in favour of the University, by the Treaty of 1214, and the Royal Ordinance of 1248 — especially, in the extent and meaning put on it by the University. — The 6th article treats of tradesmen, "who take advantage of the privilege of the University," by connecting themselves with it; as Barbers, Copyists, &c.: whose position we have already described, with reference to this very passage. — The 7th article, "on letting the tenements of citizens,* *for shorter or longer periods*;" and the eleventh, which refers to the "Rent-fixers,†" proves how hard it perpetually was, to agree about rent and repairs of the Halls, &c. and how oppressive herein also the rights or claims of the University often were to the citizens.

* [Lat. De tenementis *locandis, sive ad firmam dimittendis.*]

† [*Taxatores domorum.*]

NOTE (31) REFERRED TO IN PAGE 145.

Decisive Crisis which established the ascendancy of the University over the Town.

The establishment of the ascendancy of the University over the Town, after the tumult which we may name *Bereford's*, bears the date of 27th June, 1356. It is related by Wood, and yet more minutely by Ayliffe, in his Appendix. The Royal Privilege as given by him, contains little that is positively new, being rather a confirmation of old compacts or old practices. Unfortunately, it is too plain, why this document too has been misunderstood in so many instances, and considered inconsistent with the previous developement of things: nor need I enter into a diffuse argument as a corrective. The clauses of the greatest importance in the document, are the following: — The three first clauses direct that the Chancellor thenceforth should [in Latin] "be guardian over the assaying of bread, wine and beer, the superintendence of weights and measures, with the right to call forestallers and retailers to account, together with all matters appertaining to the fines, &c. arising out of these affairs." The expressions, "as has obtained up to this time" — "as has been the custom hitherto to do," refer merely to minor details, such as, collecting the fines, the right over confiscated goods, &c. which were to remain unaltered. This is a point deserving attention, since Oxford authors have always endeavored to represent even that which was really new in this decree, as of ancient usage *(consuetum)*. The only innovation was the transfer of those branches of the police-administration, to the Chancellor, exclusively; ("let him have it by himself, and the whole of it.") In the points hitherto enumerated, were included essentially; in the first place, jurisdiction over the market; in the second place, all that police-jurisdiction which was afterwards included under the names of "*Court-leet*," and *view* of *frankpledge*," (whatever may have been the interpretation given to these institutions previously.) On this subject, I refer to Blackstone, b. iii., c. 19. The right of granting or refusing licenses, to bakers, brewers, vintners, victuallers, &c., became

naturally afterwards connected with *this:* and subsequent privileges (for instance, the great privilege of Henry VIII.) were in this respect only confirmations of that, which had already been conceded to the University; although, perhaps, without express mention — certainly, upon the pre-supposition, that it was practicably able to exercise it. The University certainly did *not* possess this right *before:* for in 1304, when the Chancellor, complained that the scholars remained to so late an hour in wine-houses, the King decreed only, "that the Chancellor should punish *his clerks,* as he might think expedient." (Rot. Parl. i. 163.) The Chancellor, however, was desirous of making the tavern-keepers responsible. At a later period, however, affairs had taken such a turn, that these Courts of Justice lost all their practical importance in Oxford, as well as elsewhere, being only held twice a year (as it were, by way of emblem) by the University in the Guildhall. The lower Court of the Markets, called "the *Piepoudre Court,*" which was really of greater proportionate importance, naturally remained in the hands of the Town, as no person attached to the University was concerned in it. (Blackstone iii. 4.) The fourth clause transferred to the University another considerable power, hitherto under the control of the Town. This included, under the names of "*watch* and *ward,*" "*hue* and *cry,*" not only the actual armed-police, but likewise the means of defence, possessed by the Town. This change certainly, is not distinctly defined: but the fact is clear enough from the circumstances, the expressions, and the results; if an after-regulation, mentioned by Wood, be taken into consideration, which indeed appears to have been intended only as an *interpretation* of the existing law. In the above-mentioned clause itself, it is ordered, "That the Chancellor be authorized to punish by imprisonment and otherwise, scholars or laymen in the same place, who shall bear arms "*contrary to the Statutes of the University,*" and to take and keep in the usual way arms so borne, as given over to his charge and forfeited: and to banish from the University and Town obstinate and rebellious offenders of this kind, and to proceed against them in other ways by ecclesiastical censure, as is the

custom in such cases." Here too, the expression, "usual way," means no more than, that the citizens thenceforward should be treated as the scholars had been hitherto. Certainly the *townspeople* had not previously stood upon that footing.

In 1320, followed another Royal Decree, "that *at the request* of the Chancellor, the Mayor do hinder any layman, except the officers of the Town, from bearing arms within the city of Oxford" (Rolls of Parl. i. 373). The fifth clause, ascribes to the Chancellor, the right of compelling the townspeople, by *ecclesiastical censures*, to keep clean and to pave the streets, but does not permit him to apply as he chose (as he had formerly done) the confiscated articles, timber, stone, &c. Such at least is the explanation I give of the Latin words, "*Absque proficuo suis usibus applicando.*" The sixth clause treats of the duty of the academic dependents to pay taxes; and this it appears, they were compelled to do, although they were not to be taxed by the *Mayor*, but by the *Chancellor*. There is nothing to explain to us, whether this clause refers to the King's taxes, or to the town-rates, or to both: the latter case is the most probable. The seventh clause secures to persons connected with the University, the Royal protection while making search after property stolen from them. They were to take their own property, wherever they might find it. The eighth clause prescribes that, henceforth, the Sheriff of Oxford and his subordinates, should upon entering into office, make oath to the Chancellor, that they would preserve and defend the privileges, &c. of the University. Finally, the King reserves to himself further regulations, to be made according to circumstances. Many points were thus more clearly defined, *and probably also the office of* [University] STEWARD *introduced.*

NOTE (32) REFERRED TO IN PAGE 158.

Panegyric on the University (Oxford.)

The quotation in Wood alluded to, is so curious, that I may be allowed to produce it here. "And thus," (runs the panegyric,)

"the wisdom and learning of this University, above that of all others, may be compared to the sun: because however the other Universities may shine in the firmament of the Church, yet they lack a part of the light, and are but little stars in respect to our sun. Other schools may excel in some particular branch of learning; as Paris, for instance, in Theology, Bologna in Law, Salernum in Medicine, Toulouse in Mathematics: but this true fountain of knowledge excels in all. This bright sun gave light to the whole kingdom: '*the bright beames*' of our wisdom '*spred*' (over) the whole world. All other schools took counsel and example from this: all kingdoms honored it, '*as fer as God heth lond*,' Oxford had a name, &c. &c." An address of the University to the Duke of Glocester, of about the same time, lays claim, in a more modest style, to the greatest renown "in Arts and Philosophy." No better proof does it afford of the real fruitfulness of the University studies, that Pitsæus contrives to name, during the two centuries of this period, about one hundred and fifty authors, more or less connected with Oxford, and about fifty more as much connected with Cambridge. My readers will permit me perhaps to bring forward the testimony of an Oxford poet of the time of Henry III. as characterising the epoch in question. (Vita Ricardi II. ed. Hearne. Append. p. 348.) After extolling the former splendor of the University, he proceeds to say:

"Laudarem siquidem te matrem filius
Si scirem dire quicquam commodius
Sed lingua labitur, suspirat animus,
Dum te prospiciant indignam laudibus.
Licet laudaverim, mater, quæ gesseris,
Contristor etenim quod jam desipis,
Vergens in senium errore falleris,
Heu! quæ vix hactenus errasse diceris.
Dum eras junior, acris ingenii
Vigebas lumine magni scrutinii, etc.

* * * * * *

Heu! dum sic desipis, nec prolem corripis [concipis?]
Veri fons aruit, sol fit ecliptious
Vix ulla remanet spes veri luminis
Cum tu scientiæ sol sic palluëris."

This poem* refers more especially to the controversies between the *Minorites* and the *Dominicans*, and contains, properly speaking, rather a satire upon the latter, than the "Praises of Oxford:" as it is entitled. Least of all does it give a general description of the University, as has been asserted by some, who have evidently never looked into it.

Note (33) referred to in Page 164.

Revenues of the University of Oxford.

The following remarks will be sufficient to establish what has been advanced above. The first acquisition, of which any distinct and certain mention is made, was the fine paid by the town in the year 1214. (v. Wood, an. 1308.) We have proof also, that the same kind of payments were occasionally obtained afterwards, upon similar distressing and extraordinary occurrences; as, the riot of the Jews in 1283, and the great tumults in 1355. To this may be added, the profits of the properly academic jurisdiction and police, in fines, confiscations and fees, though of the details we have no account. The University was certainly often arbitrary enough in these matters, and seized on opportunities for extorting from the citizens or strangers; a fact which is proved by the complaint to Parliament of one W. de Hartewell, who was imprisoned by the Chancellor in 1328, and not liberated, until he had not only satisfied the person who complained against him, but had also entered into a bond to pay the sum of twenty pounds to the

* [We may attempt a translation, thus:—

Perhaps, (?) O my mother, thy son would praise thee,
If I could say any thing at all suitable;
But my tongue stammers, my soul sighs,
While men see thee to be undeserving of praise.
Though I might praise, O mother, thy former deeds:
For I am saddened that thou art now in dotage,
Waning into old age thou becomest silly,
Thou, alas! which scarcely till now art said to have erred!
While younger thou wast, thy keen genius
Was vigorous and bright, mighty in penetration, &c. . . .
Ah! while thus thou doatest, and conceivest no progeny,
The fount of truth is dried, the sun is in eclipse,
Scarcely any hope is left of a true luminary,
When thou, the sun of science, art thus pale.

University. (Rolls of Parl. ii. 16.) — We have besides, the previously mentioned appeals of the town in 1296. It is impossible to learn what profit accrued to the University, from the fees paid for Degrees, &c. There can be no doubt however that such fees *were* paid; indeed express mention is made of them. In a Book of the Beadles, of the end of the fifteenth century, (Hearne's Robert de Avesbury, Oxford, 1720, Appendix, p. 308,) there is a rate set for the fees of Students in Law, which probably had been already of very long standing. A distinction also is drawn between the fees to be paid to the Chancellor, to the Proctors, to the Notary, the Beadles, &c., and those due to the UNIVERSITY. To these resources, must be added, the presents made, at a very early period, in money and articles of value, among which may be reckoned *books*. Mention is made of such donations in the years 1249, 1274, 1293, 1306, 1317, 1336, &c. With these presents or legacies, was generally connected the obligation of repeating masses for the soul of the benefactor, &c.: and an especial chaplaincy was founded for this purpose, attached to the University Church of St. Mary, and urgently recommended by the King to the Prelates, in order that they might support it by indulgences, &c. (v. Rymer, i. 144): "Since our faithful Chancellor and University of Oxford, &c." runs the King's letter, "have thought fit to establish a Chaplaincy, thereby to offer sacrifices for the good of our soul, and of the souls of all benefactors of the said University," &c. We find moreover that as early as 1293, it was an old custom to read over the names of the benefactors in the Schools. The above-mentioned Book of the Beadles, contains a long list of such benefactions. The Jewels of the University were robbed in part, during the academic riots of 1348, and were completely lost, at the beginning of the Reformation (1546.) — In Cambridge, the case was perfectly similar, as may be seen, for instance in Fuller, in the account of 1401.

Yet the University had already in the thirteenth century obtained also fixed and landed property, with revenues arising therefrom, and what Jurists call, if I do not mistake, "*Real property*." A Royal writ of the year 1263, expressly promised

security for all tenements, possessions and rents belonging to the University (*Liber Scaccarii*; ed. Hearne—appendix). According to Fuller, thirty acres of ground were in 1293 left to the University of Cambridge by will, for the express purpose of defending its rights. Wood produces a document of the year 1294, which refers to the donation of a "*Messuage*" to the University, for the use of poor scholars; and shortly after, we find, that the Foundress of *Balliol College* bought some houses of the University. As to later times, it is unnecessary to offer further testimony respecting this subject.

At the end of the fourteenth century, it was asserted in Parliament, that the greater part of the of town of Oxford belonged to the *Clerks*, and was inhabited by scholars (Rot. Parl. i. s. 45). This expression, however, refers of course in a great measure to the monastic orders. Real property was obtained by the Universities, at the very latest, in the beginning of the fourteenth century, as is proved by a Royal Privilege of the year 1321 (v. Rymer), which grants them the right of acquiring Church Patronage (*advowsons, advocationes*) to the value of twenty pounds, "*to support scholars in theology and dialectics*, notwithstanding the Statute of mortmain." This, however, by no means goes to prove, that they did not possess similar rights at an earlier period, as there is no doubt that the University had already obtained the advowson of the Chaplaincy founded in 1274. We know that she acquired afterwards considerable property of the kind.

On the revenues derived from matriculations, degrees, &c., or from the academic courts of jurisdiction, no details are known: but a sort of general survey of the more important sources of the finances and revenues of the Universities, may be gathered from a decision of an Oxford congregation held in the year 1426.

It enjoins, that "all gold and silver* *plate*, and all sums of money, which may anyhow accrue to the University, be deposited in the same chest, except such as, by the will of any testators or benefactors, are to be kept elsewhere; but that henceforth the

[* The Latin word is *Jocalia* — jewels, *i. e.* in a larger sense, articles of elegance and value.]

following be placed under the custody of the Proctors, viz. a hundred shillings, *and* no more,* of the University income every year; also the settling of weights and measures for bread and beer; also the casual proceeds payed under the head of *Proponot* ["I propose"]: also the sums received to help in planting teachers in various parts; [in the Latin, *pro distributione regentium*:] and for feeding poor scholars on St. Nicholas day, and the monies accustomed to be received from the grammar schools (?) [*a grammaticis*]; also the usual fees [*communiae*] for University licences and degrees: also two nobles of the University income to be payed to the collectors of the said income: also the price of forfeited weapons, and the monies raised or to be raised by appeals [*per appellationes*]. The actual meaning of some of these *items* is not clear to me, and to explain others would lead me too far from my purpose. The greater number, however, offer no difficulty. It may easily be perceived, that not all the revenues of the University are enumerated here; and it is very possible they may be included in the general expression of "University income."

NOTE (34) REFERRED TO IN PAGE 165.

Poverty of the University in 1336.

As a specimen (out of many) of the style of these academic "laments," I will quote the petition presented in 1439, at the "Convocation of the Clergy." Among other expressions therein, we find the following: "The mother University cries to the ears of your pity and compassion, like Rachael weeping for her children, because they are not . . . . . For as much as formerly the *Alma Universitas* was of exceeding beauty and comeliness of aspect, like unto a fruitful vine . . . . But now, in our days, as we report with the greatest grief, her beauty and comeliness have faded away — her countenance has now become ill-favored and

* [*And no more* — In the Latin, "Without the receipt of more:" *absque pluris perceptione.*]

† [Qu. Money paid to the University by townsmen who apply for a licence to sell certain articles in certain places?]

exceeding sad . . . ." Far more convincing is the simpler representation, in which the University, in the year 1430, asks aid of the Convocation for the expenses of the journey of its Orators to the council of Basel, ". . . *ever so little* towards the circumstances of our society:" (Wood.) To the same effect are several Royal recommendations of the University, partly at Rome, partly to the Convocation. One from a writ of the year 1336, (v. Rymer,) will serve instead of many; which refers to the disputes with the Cardinal-Archdeacon, and expressly states that "the University had no common money, with which it was able to defend itself against so powerful a Lord, and in so distant a Court." The same occurs in a circular of the Bishop of Bath, (of the year 1328,) in which he (in consequence of a decision of the Convocation) invites his clergy to contribute something to the University, "Which *(univers:)* rests on no fixed endowment:" (v. Wilkins concil. ii. 551.) These facts by no means exclude the possession of a few pieces of land and houses; but, at the same time, they indicate the real condition of the Universities in this respect, in opposition to the endowed monasteries and colleges, &c. &c.

Note (35) referred to in Page 169.

Expenses incurred by the University (Oxford) in Lawsuits at Rome.

The Bishop of Bath thus expresses himself, (in 1328,) "The University of Oxford is at present distressed beyond wont, by its unwearied labours and expenses in defence of its rights and privileges, amid the machinations of laymen and the windings of lawsuits. But, since it rests on no fixed endowment, unless it be quickly succored, we fear total paralysis of itself and its privileges," &c., &c. (Wilkins, concil. ii. 551.) We have already noted the testimony of Edward III. upon the occasion of its affairs with the Archdeacon. The same facts are testified, though in a hostile spirit, also in 1411, by the Proctors of the Clergy, in their "Grievances" laid before the Convocation of Prelates. They

state (v. Wilkins, iii. 337) especially in reference to the negociations with Rome, "that the University of Oxford impaired and wasted its revenues uselessly, in debates and quarrellings." The fact established by these proofs, is merely what from the nature of things could not be otherwise; and the same course of events occurs also in other individuals or corporations similarly circumstanced.

NOTE (36) REFERRED TO IN PAGE 187.

Mode in which the Halls (as contrasted to the Colleges) originated.

That the account given in the text concerning the rise of Halls rightly describes the general course of things in early times, appears not only from the testimony of the Pseudo-Boëthius which we have already quoted, but yet more decidedly from the origin of *Edmund Hall* in Oxford, as related by Wood and by Ingram. *Magister* Edmund le Riche, we are told, opened a Hall and School in his own house, and soon attracted great numbers, partly by his distinguished talents in teaching, and partly by his kindness, in not only making no charge to his pupils for instruction, but even helping them out of his own means. In cases where no such attractions existed, either boarders or pupils or both would be wanting. At the same time every celebrated teacher would naturally extend his sphere of action beyond the numbers whom his own house could possibly accommodate; and there must often have been reasons for declining to accept boarders; if this be not too obvious to mention. Abelard's *Historia Calamitatum* also affords many characteristic traits of the same nature, relative to the earliest period of the University of Paris.

That the Halls were frequently established, by students voluntarily coalescing and choosing their manager, (or Principal of the Hall,) admits of no doubt; since, in spite of our want of details concerning the mode of proceeding, we find express mention made of the choice of such managers: and where this took place, the rest may be inferred as matter of course. It would however be of

interest to learn what conditions and qualifications made a person eligible as a manager, and in what manner the University interfered.

NOTE (37) REFERRED TO IN PAGE 189.

Document whereby the College, called UNIVERSITY COLLEGE, *was founded by the University (of Oxford) itself, in the year* 1280.

I may be allowed to lay before my readers, the decision of the Congregation in 1280, as best affording a glance into the state of things. "The Chancellor, after assembling the masters in Theology, shall summon by their advice certain Masters from other Faculties, whom he may think fit. These Masters, together with the Chancellor, under the solemn sanction of their allegiance to the University, shall elect from all those, who may be candidates for living upon the said revenues, four Masters, whomever they consider fittest for promotion in the Holy Church, and who have no other means of living honorably in their condition as Masters. And thenceforward the same shall be the form of election, except that those four Masters shall take part in the election together with the aforesaid, and that *one at least* of the four be in Priest's Orders. Each of these four Masters shall receive for his maintenance fifty shillings sterling yearly, out of the funds already purchased. One of them, however, with a Regent-Master to assist him, shall take care of the incomings and outgoings, and settle the purchases of other funds, and manage the business, &c.; and this Manager shall receive fifty-five shillings yearly. The above-mentioned Masters, living together, shall attend lectures on Theology, and shall be able at the same time to hear lectures on the Decrees and Decretals [*i. e.* Canon Law]. As to their way of living and learning, they shall behave as they are directed by some fit and experienced men appointed by the Chancellor. If, however, it become proper to remove any one from the aforesaid receipts, let the Chancellor, with the Masters in Theology, have authority for it. The aforesaid Manager of the income shall, moreover, be

diligent and careful that the monies dispersed be collected and placed in one chest, one key of which the Chancellor shall have, another the said Manager, and a third shall be lodged with another Master, appointed by the University Proctors. As soon, however, as larger funds have been purchased, let the number of Masters to be supported, be increased. The said Masters* have moreover ordained, that out of the houses of the said Masters, schools shall not be made, without their own consent."

There is certainly still no mention made of any actual incorporation, or of the surrender of any real or personal property to a corporation — and yet we cannot for a moment doubt that a *College*, in the full sense of the term, was to be founded in this manner, by the University, and actually was founded. The legal formalities, which according to general opinion are wanting, either were not considered so necessary at that period, or were probably really executed, though the documents have not been preserved. At all events, University College has no other document of its foundation to show, than the above mentioned. And if that be not sufficient, it is even to this moment no College.

As to the foundation of this College by Alfred, we need lose no words upon the subject; although by a decision of the King's Bench in 1723, the College was permitted the rights of a Royal foundation, and the University was deprived of the right of visitation, to which it had laid claim, as Founder of the College (Skelton Pietas Oxon). That this judgment cannot be supported by any historical facts, appears clearly enough from the above cited document, *in which the University reserves to itself so extended a right of visitation.* I cannot tell upon what other foundation this decision may rest; indeed, it is a matter of mere indifference. Probably it rests upon tradition alone, which had long since found its way into official documents. But this tradition itself reposes upon the fact, that the College purchased in 1332, a piece of ground and a house, which was again connected, by tradition, with institutions founded by Alfred. According to Wood, the

* ["*The said Masters,*" must here mean *the University Congregation*, on whose authority this whole Act rests.]

name of "University Great Hall" [*Magna Aula Universitatis*] then first arose It is not clear under what name the society existed previously. In later times, the name University College [*Collegium Universitatis*] became generally and exclusively used.

NOTE (38) REFERRED TO IN PAGE 306.

So at least I understand what Wood (i. 293) says of this Act of Parliament: "Just then the Parliament, giving its attention to the welfare of literature, and thinking it right to promote the pecuniary interests of the gownsmen, passed a law, that no tenements, tithes, nor any landed property soever, belonging to any College of Oxford or Cambridge, should be set free on any other condition, than that at least the third part of the ancient produce *(reditûs)* should remain over to be paid yearly: under which head the societies were to make agreement to receive from their farmers *(empheututis)* on fixed days a certain measure of corn *(tritici brasiique)*: and unless this were done punctually, it was enacted that each of them should have to pay in money instead of provisions; and that the estimate should be fixed by each party at the market preceding the day when it fell due: &c. . . . . It is reported that at the suggestion of H. Robinson, the Royal Provost, *(præposito regensi,)* D. Th. Smyth managed to get the law passed on a sudden; while as yet very few members of the Parliament understood whether it was more for the interests of the University to get money or corn. However that may be, it is certain that in fact the measure was highly advantageous to the Scholars, since the Colleges, having been rated at a very early period, were hereby enriched, or rather, so to say, endowed anew. Fuller quotes this in the same sense: I have not been able to examine other sources, such as the Statutes at large. Although in this passage the *Universities* are not expressly mentioned, they are certainly understood; especially as in 1567 they were first permitted to acquire landed property to the amount of £70, (clear income), *notwithstanding the statute of mortmain.* (See Dyer's Privil. i. 49.)

NOTE (39) REFERRED TO IN PAGE 310.

Specimen of Queen Elizabeth's Oratory at the University.

In spite of the satisfaction with which our excellent Wood enumerates the *delightfulness* and *pleasures* of these festivities, I should think that the great personages, especially the Courtiers, must often have experienced considerable *ennui*. But Elizabeth's vanity found in them the most desirable opportunities of exhibiting her Greek and Latin brilliancies. Wood even insinuates, that upon one occasion, (in 1592,) when she broke off in the middle of a Latin speech, to ask for a chair for the aged Lord Burleigh, it was not solely from good feeling toward her old servant, but quite as much from vanity: as she wished to show that such an interruption could not confuse her, though a short time before, one of the academic orators had entirely lost the thread of his discourse, from the Queen's requesting him to express himself more briefly. I may here cite a specimen of the Queen's eloquence upon such occasions. (1567.) "He who does evil," said Elizabeth [in Latin] to the academic assembly, "hates the light: and I, indeed, inasmuch as I can do nothing else but evil, I therefore hate the light, that is, the sight of you. And assuredly I feel great hesitation, when I consider all that goes on here, whether I should praise or blame; speak or be silent. If I speak, I shall show you how rude I am of letters: yet to remain silent I am unwilling, lest it seem to be deficiency. And since the time is short for speaking, I will therefore comprise every thing in few words, and divide my speech into two parts, *praise* and *blame*. The Praise belongs to you. For ever since I have come to Oxford, I have seen much, and I have heard much, and I have approved of all. For every thing was discreetly done and elegantly said. But those things with which you excuse yourselves in your prologues, neither as a Queen can I approve, nor as a Christian ought I? But inasmuch as as, in the preliminary speech, thou didst use caution, that discussion is not unpleasing to me. I now come to the other part, the Blame; and this part is my own. I confess that my parents took

the greatest care to have me well educated in the best literature; and indeed, I have long been conversant with numerous languages, of which I claim some knowledge. This I say truly, but modestly. I had indeed many learned masters, who labored hard to make me learned. They sowed their seed, however, upon barren and fruitless ground; and have scarcely been able to raise any fruits worthy of my own dignity, or their labors, or your expectations. Therefore, though you have bestowed upon me abundant praise; yet I, who am conscious of myself, acknowledge easily, how little I am worthy of any praise. But I will end my speech, so full of barbarisms, by adding one wish and aspiration. It is, that you may be most flourishing during my life, and most happy after my death." The expressions of blame made use of, referred to certain theological arguments of the preceding discussion, which doubtless appeared to her as too puritanical.

Note (40) referred to in Page 313.

On the Academic Studies in the reign of Elizabeth.

Wood mentions several Statute-Committees for the restoration and regulation of the Studies at Oxford; but I do not consider further details necessary: moreover, much confusion in this respect prevailed at Oxford, from circumstances which will presently be commented on. The spirit and the result of these efforts, have been noticed above. The good done by a Teacher of the Syriac languages, for whom a salary was collected among the Colleges in 1514, can only have been temporary; and the freedom of action previously enjoyed by the Theological Lecturer was limited in 1579, by enforcing the use of certain Catechisms, such as the Heidelberg, that of Bullinger, and that of Calvin, all on the side of the party. As far as Cambridge is concerned, the lectures prescribed in the Elizabethan Statutes (c. iv.), especially for the higher Faculties, are founded word for word upon those of Edward VI.: yet they are enlarged in many points, and (characteristically enough) particularly in the Mathematical studies. "A Professor

of Mathematics, if he is teaching Cosmography, shall expound Mela, Pliny, Strabo or Plato; if Arithmetic, Tonstall or Cardan, &c.; if Geometry, Euclid; if Astronomy, Ptolemy. A Professor of Dialectics shall teach the *Elenchi* of Aristotle, and the Topics of Cicero. A Lecturer in Rhetoric shall lecture upon Quintilian, Hermogenes, or some oratorical work of Cicero. Also, instead of two, four hours a week are prescribed." It is worthy of remark likewise, that in these Statutes, the rudiments of Grammar are especially forbidden to be taught in the Colleges (xii. 15); but the candidates for admission were to pass a preliminary examination in that branch. Thus the *School* was distinctly severed from the College, and made merely preparatory.

By Plato, mentioned in the preceding Statute, is unquestionably meant (as is proved by Dyer) his *Timæus*, which was held in great estimation by the Queen. At all events, the introduction of the Philosophy of Plato, along with that of Aristotle, into Cambridge, is a fact of some importance, and might serve to explain the estimation in which Descartes was afterwards held there. The prohibition of giving (the first rudiments of) Grammatical instruction in the Colleges, occurs even in the Statutes of 1549. The same is the case with regard to the inability of the Fellows to marry.

NOTE (41) REFERRED TO IN PAGE 347.

On the cultivation of Mental Philosophy at the Universities.

[The different notices of the Scholastic Philosophy by our Author, seem rather unintelligible and perhaps inconsistent. This may possibly arise from my own misconception of him; yet it may be allowable here to state my difficulties. He describes the Philosophy of the twelfth century as consuming, not digesting, knowledge; as converting its most solid materials into magical webs; in short, as the product of a *diseased Imagination*. However this may be set off with fine words, it is hard to admire an activity of intellect, in which one faculty of the mind so unduly predominates, that the result is destructive of common sense, and semi-maniacal.

— He then highly extols the more eminent Schoolmen, stating it as an axiom, that they belong to the Nobility of Intellect. All that is in evidence, however, is, that these great names were wonderfully acute in persuading themselves and others, that they had solved riddles often contemptible, or problems still unapproachable to human curiosity. When whole nations apply themselves to such feats of intellect, men of genius may invest the subject with a charm and an interest which other generations cannot conceive, and may attain a skill in untying enigmas, which others do not desire. The result however was, that no positive truth at all was ascertained, no controversy (not even that of Realism) was settled, by two or three centuries of surprising mental activity; and in the fourteenth and fifteenth centuries Professor Huber laments that Scholasticism was become dead lumber. His own history furnishes us with the explanation. The ablest minds had become convinced that no good would come of such processes; and had turned to a more objective Philosophy, first in the Wyckliffite, afterwards in the Classical Schools, and lastly, in that of Bacon. The progress of the new science is hailed with delight by our Professor; and yet, as soon as Scholasticism is *bonâ fide* discarded by the Universities, he complains. Yet surely it argues folly, or hard pressure of need, when men seek to cultivate soils proved barren. More fertile fields being opened, all the talent that could be spared from active life would first employ itself on these. Instinct told the men of that day, that the old fields must lie fallow awhile. Their predecessors had made the mistake of beginning with the most arduous part of all philosophy; it was needful to commence afresh, and, for a long time, to work out every thing that was positive and objective. Even rubbish may be transmuted by a higher chemistry into what is precious as gold; but this higher chemistry must be itself first attained. In England we have not yet learned to make even Political Philosophy a *University* Study; and we are far off the time when Scholasticism may itself furnish the materials for a new *positive* science.]

APPENDIX TO VOL. I.

[THE following Tables have been collected by Mr. JAMES HEYWOOD, and to those who are curious in Antiquarian Statistics, may seem a suitable addition to this Volume.]

TABLE OF THE NUMBER OF THE DEGREES OF BACHELOR OF ARTS, AT OXFORD, FROM 1518 TO 1680.

(From Wood's MSS. in the Ashmolean Museum, Oxford.)

Years.	B.A.	Years.	B.A.	Years.	B.A.	Years.	B.A.
1518-9	52	1562-3	70	1606-9	188	1652-3	107
1519-20	not regstd.	1563-4	29	1609-10	153	1653-4	118
		1564-5	55	1610-1	169	1654-5	132
1520-1	39	1565-6	36	1611-2	191	1655-6	93
1521-2	42	1566-7	80	1612-3	170		18 *
1522-3	57	1567-8	35	1613-4	169	1656-7	112
1523-4	37	1568-9	94	1614-5	175	1657-8	130
1524-5	45	1569-70	67	1615-6	115		14 *
1525-6	52	1570-1	114	1616-7	200	1658-9	126
1526-7	45	1571-2	59	1617-8	206		3 *
1527-8	40	1572-3	90	1618-9	216	1659-60	148
1528-9	50	1573-4	156	1619-20	230		10 *
1529-30	43	1574-5	94	1620-1	259	1660-1	99
1530-1	37	1575-6	111	1621-2	266	1661-2	135
1531-2	50	1576-7	97	1622-3	251	1662-3	104
1532-3	46	1577-8	107	1623-4	207		23 *
1533-4	46	1578-9	115	1624-5	258	1663-4	127
1534-5	42	1579-80	101	1625-6	not regstd.		11 *
1535-6	32	1580-1	59			1664-5	136
1536-7	33	1581-2	120	1626-7	239	1665-6	112
1537-8	35	1582-3	121	1627-8	226	1666-7	135
1538-9	42	1583-4	157	1628-9	230		16 *
1539-40	33	1584-5	90	1629-30	212	1667-8	166
1540-1	46	1585-6	119	1630-1	193	1668-9	155
1541-2	42	1586-7	149	1631-2	217		30 *
1542-3	22	1587-8	104	1632-3	194	1669-70	182
1543-4	29	1588-9	78	1633-4	219		16 *
1544-5	31	1589-90	125	1634-5	186	1670-1	207
1545-6	26	1590-1	115	1635-6	202		30 *
1546-7	36	1591-2	104	1636-7	208	1671-2	151
1547-8	29	1592-3	98	1637-8	202		35 *
There is an omission in the books from 1548 to 1552.		1593-4	99	1638-9	197	1672-3	200
		1594-5	175	1639-40	190		23 *
		1595-6	103	1640-1	162	1673-4	185
		1596-7	117	1641-2	212		26 *
		1597-8	134	1642-3	106	1674-5	198
1552-3	26	1598-9	91	1643-4	79		32 *
1553-4	44	1599-600	113	1644-5	39	1675-6	161
1554-5	39	1600-1	103	1645-6	31		18 *
1555-6	35	1601-2	154	1646-7	63	1676-7	184
1556-7	39	1102-3	136	1647-8	52		12 *
1557-8	42	1603-4	114	1648-9	51	1677-8	176
1558-9	55	1604-5	161	1649-50	83		14 *
1559-60	45	1605-6	185	1650-1	82	1678-9	193
1560-1	37	1606 7	171	1651-2	97	1679-80	167
1561-2	31	1607-8	161		9 *		9 *

* These persons did not determine, or, in other words, they did not keep the last Act, which was formerly required as a part of the system of disputations for the degree of Bachelor of Arts.

TABLE OF THE NUMBER OF THE DEGREES OF BACHELOR OF ARTS, TAKEN AT CAMBRIDGE, FROM 1500 TO 1658.

(From the Sloane MSS. in the British Museum.)

Years.	B.A.	Years.	B.A.	Years.	B.A.	Years.	B.A.	Years.	B.A.
1500	7	1531	37	1563	80	1595	164	1627	269
(part)		1532	28	1564	71	1596	157	1628	315
1501	29	1533	43	1565	85	1597	210	1629	234
1502	23	1534	43	1566	86	1598	175	1630	291
1503	34	1535	33	1567	86	1599	167	1631	202
1504	26	1536	30	1568	118	1600	102	1632	272
1505	24	1537	38	1569	96	1601	102	1633	265
1506	23	1538	42	1570	144	1602	156	1634	155
1507	26	1539	35	1571	113	1603	140	1635	276
1508	42	1540	42	1572	185	1604	184	1636	247
1509	46	1541	30	1573	120	1605	196	1637	260
1510	31	1542	40	1574	146	1606	207	1638	233
1511	42	1543	33	1575	130	1607	152	1639	212
1512	44	1544	29	1576	174	1608	161	1640	240
1513	22	1545	29	1577	162	1609	216	1641	190
1514	52	1546	16	1578	135	1610	191	1642	..
1515	42	1547	35	1579	153	1611	204	1643	..
1516	36	1548	29	1580	205	1612	200	1644	..
1517	..	1549	30	1581	194	1613	231	1645	190
1518	43	1550	32	1582	213	1614	176	1646	143
1519	41	1551	36	1583	277	1615	244	1647	130
1520	30	1552	37	1584	236	1616	236	1648	171
1521	31	1553	42	1585	192	1617	198	1649	217
1522	26	1554	48	1586	198	1618	262	1650	221
1523	40	1555	42	1587	180	1619	226	1651	183
1524	46	1556	37	1588	129	1620	271	1652	167
1525	40	1557	27	1589	102	1621	262	1653	155
1526	40	1558	41	1590	154	1622	279	1654	183
1527	42	1559	20	1591	...	1623	282	1655	165
1528	32	1560	60	1592	140	1624	308	1656	149
1529	26	1561	53	1593	...	1625	258	1657	193
1530	40	1562	51	1594	177	1626	278	1658	190

TABLE OF THE NUMBER OF DEGREES TAKEN AT CAMBRIDGE, FROM 1500 TO 1658.

(From the Sloane MSS. in the British Museum.)

Date.	D.D	Doctor of Canon Lw.	Doctr of Civil Law.	B.D	MD	M.A.	B.A.	B.L. or B.C.L	Mastr of Gram	Bach. of Med.	Doctr of Mus.	Bach. of Mus.	Pract Med.	Pract Surgery.
1500	6	4	..	5	1	12	7	3	1	..	..	..	..	..
1501	6	1	1	10	..	23	29	13	4	..	..	..	..	..
1502	6	..	2	14	..	27	23	18	1	..	..	..	..	..
1503	2	5	2	14	1	22	34	29	1	1	..	..	..	..
1504	3	..	1	18	..	19	26	18	..	..	1	..	..	..
1505	7	3	..	11	..	17	24	25	..	..	..	..	..	..
1506	3	..	..	7	..	18	23	6	..	..	..	..	..	..
1507	12	2	2	8	2	25	26	18	3	..	1	..	..	..
1508	1	1	..	1	..	17	42	5	..	..	..	1	..	..
1509	3	..	..	5	..	18	46	2	..	..	..	..	..	..
1510	5	..	..	8	..	14	31	11	..	..	..	..	..	..
1511	..	..	..	8	2	29	42	16	1	..	..	..	..	..
1512	6	7	2	24	..	26	44	22	..	..	..	..	..	..
1513	6	..	1	5	..	21	22	6	..	..	..	..	..	..
1514	4	..	1	4	..	27	52	7	..	..	..	..	..	..
1515	3	..	1	10	..	25	42	10	1	..	..	..	..	..
1516	1	3	..	8	..	14	36	13	1	..	..	2	..	..
1517	12	2	2	18	..	..	..	..	..	..	..	..	..	..
1518	5	..	2	14	1	29	43	14	..	..	..	..	..	..
1519	3	2	1	4	..	13	41	11	..	..	..	..	..	..
1520	12	7	..	9	..	26	38	26	..	..	..	..	..	..
1521	5	1	1	19	..	23	31	19	..	..	..	..	..	..
1522	9	3	1	6	..	21	26	7	..	..	..	..	..	..
1523	6	1	1	19	..	22	40	6	..	..	..	..	..	..
1524	5	2	..	14	..	22	46	9	..	..	..	..	..	..
1525	..	..	..	5	..	28	40	9	..	..	..	..	..	..
1526	7	1	2	5	..	25	40	16	..	..	..	..	..	..
1527	2	..	..	5	1	23	42	5	..	..	..	..	..	..
1528	5	2	1	7	1	21	32	14	..	..	..	..	..	..
1529	1	1	5	6	1	20	26	5	..	..	..	..	..	..
1530	2	3	..	1	..	26	40	14	..	..	..	..	..	..
1531	5	..	2	7	1	28	37	15	..	..	..	..	..	..
1532	4	2	..	8	2	17	28	11	..	..	..	..	..	..
1533	3	1	1	13	..	28	43	12	..	..	..	1	..	..
1534	2	..	2	4	1	26	43	11	..	..	..	..	..	..
1535	7	..	1	10	..	19	33	7	..	..	..	..	..	..
1536	3	..	..	8	..	17	30	..	..	..	..	..	..	..
1537	7	..	..	17	..	26	18	13	..	..	..	..	..	..
1538	3	..	..	7	1	19	42	15	..	2	..	..	..	..
1539	2	..	2	7	..	27	35	5	..	..	..	..	..	..
1540	4	..	1	7	1	20	42	3	1	3	..	..	..	..
1541	1	..	2	5	1	32	30	6	..	..	..	..	..	..
1542	..	..	2	4	1	19	49	9	..	2	..	..	..	..
1543	..	..	2	9	3	17	33	5	..	..	..	..	..	..
1544	4	..	1	17	..	26	29	4	..	..	..	..	..	..
1545	1	..	..	8	1	30	29	3	..	..	1	..	..	..
1546	1	..	..	13	1	23	16	2	..	..	..	..	..	..
1547	6	..	1	7	..	18	35	1	..	..	..	..	..	..
1548	1	..	..	7	1	15	29	..	..	..	..	..	..	..
1549	2	..	1	14	..	26	30	2	..	..	..	..	..	..
1550	1	..	..	1	..	8	32	..	..	..	..	..	..	..
1551	..	..	..	9	..	17	36	..	..	..	..	..	..	..
1552	..	..	2	4	1	17	37	..	..	..	..	..	..	..
1553	1	..	1	3	2	22	42	3	..	..	..	..	..	..
1554	4	..	..	16	..	19	48	..	..	..	..	..	..	..
1555	2	..	1	3	2	33	42	4	..	..	..	..	..	..
1556	..	1	..	6	..	27	37	..	..	..	..	..	..	..
1557	6	..	2	4	1	24	27	..	..	..	..	..	..	..
1558	1	..	1	1	3	22	41	1	..	..	..	..	..	..
1559	2	..	1	1	2	22	28	..	..	..	..	2	..	..
1560	..	..	3	6	1	25	60	..	..	..	..	..	..	..

TABLE OF DEGREES TAKEN AT CAMBRIDGE, FROM 1500 TO 1658.—(CONTINUED.)

Date.	D.D	Doctor of Canon Law.	Doctr of Civil Law.	B.D	MD	M.A.	B.A.	B.L. or B.C.L	Mastr of Gram	Bach. of Med.	Doctr of Mus.	Bach. of Mus.	Pract Med.	Pract Surgery.
1561	..	..	1	9	..	31	53	1	..	..	..	..	..	..
1562	1	..	1	8	1	20	51	3	..	..	..	..	..	..
1563	3	..	1	4	1	44	80	7	..	..	..	..	..	..
1564	12	..	..	4	2	39	71	2	..	..	..	..	..	..
1565	1	..	..	7	..	27	85	..	..	..	..	..	..	..
1566	2	..	..	1	1	46	86	2	..	..	..	..	..	..
1567	4	..	1	3	4	45	86	1	..	..	..	..	..	..
1568	..	..	2	4	1	59	118	..	..	1	..	..	..	..
1569	5	..	6	22	2	62	86	2	..	..	..	..	..	1
1570	4	..	2	14	1	56	114	4	..	..	..	..	..	..
1571	..	..	1	..	3	71	113	..	..	..	..	..	1	..
1572	2	..	1	8	..	61	185	..	..	..	..	..	1	..
1573	..	..	2	8	..	63	120	7	..	..	..	..	2	1
1574	..	..	3	9	..	57	146	1	..	1	..	..	..	..
1575	9	..	2	13	..	104	130	..	..	..	..	..	4	..
1576	3	..	3	16	4	70	174	2	..	1	..	..	1	..
1577	..	..	..	18	5	96	162	..	..	..	..	..	..	2
1578	6	..	2	12	..	85	115	12	..	..	..	..	5	..
1579	2	..	2	15	2	106	153	6	..	..	..	..	1	..
1580	1	..	3	16	2	86	205	1	..	..	..	..	..	..
1581	4	..	6	8	6	61	194	4	..	..	..	..	..	..
1582	5	..	..	20	1	102	213	3	..	..	..	..	..	..
1583	9	..	..	14	4	129	277	3	..	..	..	..	..	..
1584	2	..	..	9	2	113	236	1	..	..	..	..	..	..
1585	2	..	3	13	1	113	192	..	..	..	..	..	2	..
1586	1	..	2	16	2	165	198	3	..	..	..	..	7	..
1587	7	..	1	16	2	135	180	..	..	..	..	..	4	..
1588	2	..	1	8	1	118	129	2	..	..	..	..	..	..
1589	7	..	3	19	..	110	182	3	..	..	..	..	2	..
1590	6	..	..	16	..	109	154	..	..	..	..	..	..	..
1591	1	..	..	23	..	81	..	..	..	..	..	..	..	..
1592	4	..	4	14	2	108	140	5	..	..	2	4	..	..
1593	1	..	..	27	..	97	..	..	..	..	..	..	..	..
1594	15	..	3	17	4	87	177	6	..	..	..	..	..	..
1595	2	..	..	26	..	104	164	1	..	..	..	..	..	..
1596	5	..	3	15	..	111	157	..	..	..	..	..	..	..
1597	8	..	..	17	..	124	210	..	..	..	..	1	..	..
1598	9	..	..	7	2	114	175	3	..	..	..	1	..	..
1599	2	..	..	24	2	90	167	..	..	..	..	..	4	..
1600	5	..	9	17	..	156	162	..	..	..	..	..	..	..
1601	7	..	..	14	1	115	182	2	..	..	..	1	..	..
1602	6	..	..	15	1	105	156	..	..	..	..	..	..	..
1603	5	..	..	19	2	94	140	1	..	..	..	..	..	..
1604	2	..	2	11	3	126	184	2	..	..	..	..	2	..
1605	5	..	1	18	..	119	176	4	..	..	..	1	2	..
1606	6	..	2	22	2	147	207	4	..	..	..	1	1	..
1607	8	..	..	27	2	153	152	..	..	..	..	..	4	1
1608	10	..	1	32	6	141	161	..	..	..	..	..	3	..
1609	16	..	1	28	1	161	216	..	..	..	..	..	3	..
1610	6	..	..	27	..	117	191	..	..	..	..	2	4	..
1611	2	..	2	23	4	139	204	..	..	..	..	..	..	..
1612	7	..	1	13	..	161	208	3	..	..	..	..	..	1
1613	20	..	2	21	1	201	239	1	..	2	..	..	..	..
1614	7	..	1	17	5	156	176	4	..	..	..	2	2	..
1615	26	..	1	21	2	170	244	..	..	..	..	..	1	..
1616	9	..	1	18	1	156	236	2	..	..	1	1	1	1
1617	7	..	1	21	..	121	198	2	..	..	..	1	..	..
1618	10	..	1	15	1	212	252	2	..	..	..	..	..	..
1619	4	..	1	12	1	182	226	2	..	..	..	..	..	..
1620	8	..	1	19	1	176	271	1	..	1	..	..	2	..
1621	9	..	2	20	2	218	262	..	..	..	..	..	..	..
1622	9	..	..	18	5	205	279	2	..	..	..	..	2	..
1623	10	..	..	28	1	210	282	1	..	..	..	1	2	..
1624	4	..	..	21	1	199	308	3	..	..	..	..	1	..
1625	14	..	..	15	4	247	258	1	..	1	..	..	..	..
1626	7	..	..	19	1	221	278	1	..	1	..	1	..	..

TABLE OF DEGREES TAKEN AT CAMBRIDGE, FROM 1500 TO 1658.—(CONTINUED.)

Date.	D.D	Doctor of Canon Law.	Doctr of Civil Law.	B.D	M.D	M.A.	B.A.	B.L. or B.C.L	Mastr of Gram	Bach. of Med.	Doctr of Mus.	Bach. of Mus.	Pract Med.	Pract Surgery.
1627	16	..	..	23	2	242	269	..	..	1	..	..	3	..
1628	16	..	2	26	3	216	315	4	..	..	..	..	4	..
1629	4	..	2	16	2	229	234	3	..	..	..	..	5	..
1630	27	..	4	13	6	198	291	..	..	..	..	..	..	..
1631	23	..	..	36	7	269	292	3	..	..	..	..	4	..
1632	3	..	1	22	2	209	272	1	..	2	..	..	5	..
1633	4	..	1	19	..	251	265	3	..	..	..	..	1	..
1634	4	..	1	20	3	225	155	4	..	2	..	..	2	..
1635	10	..	..	15	1	217	276	7	..	1	..	..	..	..
1636	9	..	3	21	3	189	247	1	..	3	..	..	..	..
1637	9	..	3	20	2	130	260	6	..	2	..	..	1	..
1638	5	..	3	19	6	259	233	3	..	4	..	..	5	..
1639	12	..	4	26	1	176	212	5	..	4	..	..	7	..
1640	4	..	2	18	4	162	240	2	..	5	..	1	4	..
1641	3	..	..	8	4	196	190	9	..	..	..	..	2	..
1642	4	..	..	7	4	166	..	3	..	4	..	..	1	..
1643	1	..	..	9	2	113	..	1	..	..	..	..	2	..
1644	1	..	..	2	1	2	..	..	..	..	..	..	1	..
1645	..	..	..	1	5	172	120	..	..	..	..	..	4	..
1646	1	..	2	7	6	120	143	..	..	..	..	..	6	..
1647	..	..	2	4	5	104	130	..	..	..	..	..	2	..
1648	2	..	2	7	1	92	171	..	..	..	..	..	1	..
1649	6	..	..	2	3	80	271	1	..	2	..	..	2	..
1650	4	..	..	5	3	65	221	..	..	..	1	..	2	..
1651	4	..	..	3	4	70	183	2	..	1	..	..	..	..
1652	..	..	3	2	4	91	167	..	..	..	..	..	..	..
1653	1	..	..	5	4	105	155	1	..	2	..	..	2	..
1654	1	..	..	4	2	123	183	1	..	6	..	..	3	..
1655	3	..	..	10	6	105	165	..	..	4	..	..	..	..
1656	2	..	..	5	5	81	149	1	..	1	..	..	2	..
1657	3	..	..	7	5	101	193	..	..	4	..	..	2	..
1658	2	..	..	4	5	126	190	2	..	6	..	1	..	..

REVENUES, &c., OF OXFORD, A.D. 1612.

An exact Account of the whole number of Scholars and Students in the University of Oxford, taken A.D. 1612.

COLLEGES.		Value of Headships.	No. of Fellows	Scholars Clerks, &c.	Annual Revenue.	No. of Commoners.
		£.			£.	
University	Master	70	12	12	600	40
Baliol	Master	60	12	16	300	25
Merton	Warden	200	19	22	1200	30
Exeter	Rector	70	23	..	600	30
Oriel	Provost	70	18	12	600	10
Queen's	Provost	70	15	30	600	30
New	Warden	250	70	30	3000	6
Lincoln	Rector	70	15	2	300	20
All Souls	Warden	150	40	12	1500	..
Magdalen	President	250	40	58	3600	6
Brazennose	Principal	80	20	20	600	30
Corpus Christi	President	120	20	26	1200	10
Christ's Church	Dean	300	108	40	6000	70
Trinity	President	70	12	16	600	50
St. John's	President	80	50	14	1500	30
Jesus	Principal	70	16	16	300	40
Wadham	Warden	70	15	20	300	50
Pembroke	Master	70	15	11	300	30
Magdalen Hall	Principal	60	1 Vice-Pr.	..	.	40
St. Edmund's	Principal	30	1 ,,	..	..	20
Hart	Principal	30	1 ,,	..	..	20
New Inn	Principal	30	1 ,,	..	..	15
St. Mary's	Principal	30	1 ,,	..	..	15
Gloucester	Principal	20	1 ,,	..	..	10
St. Alban's	Principal	10	1 ,,	..	..	5
18 Colleges. 7 Halls.		£2340	526	362	£23190	627

Servitors, Doctors' Servants 129

Each College 6
Each Hall 3

Butlers, Cooks, Manciples, Grooms, Bedmakers, Laundresses, Porters, &c. 301

Each College 14
Each Hall 7

CHRIST CHURCH (IN 1612).

Dean	1
Canons	8
Gentlemen Commoners	7
Students	100
Chaplains	8
Singers	8
Choristers	8
Servants	24
Commoners—Senior	17
Junior	18
Poor Scholars and other Servants	41
Total	240

END OF VOL. I.

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